TITLE



TWO OF THE INHABITANTS OF GLOSCESTER REFUSING TO SURRENDER THE CITY TO CHARLES.

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THE

HISTORY

OF

ENGLAND,

FROM THE

INVASION OF JULIUS CÆSAR

TO

The REVOLUTION in 1688.

IN FIVE VOLUMES.

BY DAVID HUME, Esq;

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TO WHICH IS PREFIXED,

A short ACCOUNT of his LIFE, written by himself.

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THE HISTORY OF GREAT BRITAIN.

JAMES I.

CHAP. XLV.

Introduction—James's first transactions—State of Europe—Rosni's negociations—Raleigh's conspiracy—Hampton-court conference—A Parliament—Peace with Spain.

THE crown of England was never transmitted from father to son with greater tranquillity, than it passed from the family of Tudor to that of Stuart. During the whole reign of Elizabeth, the eyes of men had been employed in search of her successor; and when old age made the prospect of her death more immediate, there appeared none but the king of Scots, who could advance any just claim or pretension to the throne. He was great grandson of Margaret, elder daughter of Henry VII. and, on the failure of the male line, his hereditary right remained unquestionable. If the religion of Mary queen of Scots, and the other prejudices contracted against her, had formed any considerable obstacle to her succession; these objections, being entirely personal, had no place with regard to her son. Men also considered, that though the title, derived from blood, had been frequently violated since the Norman conquest, such licences had proceeded more from force or intrigue, than from any deliberate maxims of government. The lineal heir had still in the end prevailed; and both his exclusion and restoration had been commonly attended with such convulsions, as were sufficient to warn all prudent men not lightly to give way to such irregularities. If the will of Henry VIII. authorised by act of parliament, had tacitly excluded the Scottish line; the tyranny and caprices of that monarch had been so signal, 1603.

that a ſettlement of this nature, unſupported by any juſt reaſon, had no authority with the people. Queen Elizabeth too, with her dying breath, had recognized the undoubted title of her kinſman James; and the whole nation ſeemed to diſpoſe themſelves with joy and pleaſure for his reception. Though born and educated amidſt a foreign and hoſtile people, men hoped, from his character of moderation and wiſdom, that he would embrace the maxims of an Engliſh monarch; and the prudent foreſaw greater advantages, reſulting from a union with Scotland, than diſadvantages from ſubmitting to a prince of that nation. The alacrity, with which the Engliſh looked towards the ſucceſſor, had appeared ſo evident to Elizabeth, that, concurring with other cauſes, it affected her with the deepeſt melancholy; and that wiſe princeſs, whoſe penetration and experience had given her the greateſt inſight into human affairs, had not yet ſufficiently weighed the ingratitude of courtiers, and levity of the people.

As victory abroad, and tranquillity at home, had attended this princeſs, ſhe left the nation in ſuch flouriſhing circumſtances, that her ſucceſſor poſſeſſed every advantage, except that of compariſon with her illuſtrious name, when he mounted the throne of England. The king's journey from Edinburgh to London, immediately afforded to the inquiſitive ſome circumſtances of compariſon, which even the natural partiality in favour of their new ſovereign could not interpret to his advantage. As he paſſed along, all ranks of men flocked about him, from every quarter; allured by intereſt or curioſity. Great were the rejoicings, and loud and hearty the acclamations which reſounded from all ſides; and every one could remember how the affability and popular manners of their queen diſplayed themſelves, amidſt ſuch concourſe and exultation of her ſubjects. But James, though ſociable and familiar with his friends and courtiers, hated the buſtle of a mixt multitude; and though far from diſliking flattery, yet was he ſtill fonder of tranquillity and eaſe. He iſſued therefore a proclamation, forbidding this reſort of people, on pretence of the ſcarcity of proviſions, and other inconveniencies, which, he ſaid, would neceſſarily attend it [a].

1603. Firſt tranſactions of this reign.

He was not, however, inſenſible to the great flow of affection which appeared in his new ſubjects; and being himſelf of an affectionate temper, he ſeems to have been in haſte to make them ſome return of kindneſs and good offices. To this motive, probably, we are to aſcribe that profouſeneſs of titles, which was obſerved in the beginning of his reign; when, in ſix weeks time after his entrance into the kingdom, he is computed to have beſtowed knighthood on no leſs than 237 perſons. If Elizabeth's frugality of honours, as well as of money, had formerly been repined at, it be-

[a] Kennet, p. 662.

gan now to be valued and eſteemed: And every one was ſenſible that the king, by his laviſh and premature conferring of favours, had failed of obliging the perſons on whom he beſtowed them. Titles of all kinds became ſo common, that they were ſcarcely marks of diſtinction; and being diſtributed, without choice or deliberation, to perſons unknown to the prince, were regarded more as the proofs of facility and good-nature, than of any determined friendſhip or eſteem.

A PASQUINADE was affixed to St. Paul's, in which an art was promiſed to be taught, very neceſſary to aſſiſt frail memories, in retaining the names of the new nobility [b].

WE may preſume, that the Engliſh would have thrown leſs blame on the king's facility in beſtowing favours, had theſe been confined entirely to their own nation, and had not been ſhared out, in too unequal proportions, to his old ſubjects. James who, through his whole reign, was more guided by temper and inclination than by the rules of political prudence, had brought with him great numbers of his Scottiſh courtiers; whoſe impatience and importunity were apt, in many particulars, to impoſe on the eaſy nature of their maſter, and extort favours, of which, it is natural to imagine, his Engliſh ſubjects would loudly complain. The duke of Lenox, the earl of Marre, lord Hume, lord Kinloſs, Sir George Hume, ſecretary Elphinſtone [c], were immediately added to the Engliſh privy council. Sir George Hume, whom he created earl of Dunbar, was his declared favourite as long as that nobleman lived, and was one of the wiſeſt and moſt virtuous, though the leaſt powerful, of all thoſe whom the king ever honoured with that diſtinction. Hay, ſome time after, was created Viſcount Doncaſter, then earl of Carliſle, and got an immenſe fortune from the crown; all of which he ſpent in a ſplendid and courtly manner. Ramſay obtained the title of Earl of Holderneſs; and many others, being raiſed, on a ſudden, to the higheſt elevation, encreaſed, by their inſolence, that envy, which naturally attended them, as ſtrangers and ancient enemies.

IT muſt however be owned, in juſtice to James, that he left almoſt all the chief offices in the hands of Elizabeth's miniſters, and truſted the conduct of political concerns, both foreign and domeſtic, to his Engliſh ſubjects. Among theſe, ſecretary Cecil, created ſucceſſively Lord Effindon, Viſcount Cranborne, and Earl of Saliſbury, was always regarded as his prime miniſter and chief counſellor. Though the capacity and penetration of this miniſter were ſufficiently known, his favour with the king created ſurprize on the acceſſion of that monarch. The ſecret correſpondence into which he had entered with James, and which had ſenſibly contributed to the eaſy reception of that prince in England, laid the founda-

[b] Wilſon, in Kennet, p. 665. [c] Ibid p. 662.

tion of Cecil's credit; and while all his former aſſociates, Sir Walter Raleigh, lord Grey, lord Cobham, were diſcountenanced on account of their animoſity againſt Eſſex, as well as for other reaſons, this miniſter was continued in employment, and treated with the greateſt confidence and regard.

THE capacity of James and his miniſters in negociation was immediately put to trial, on the appearance of ambaſſadors from almoſt all the princes and ſtates of Europe, in order to congratulate him on his acceſſion, and to form with him new treaties and alliances. Beſide miniſters from Venice, Denmark, the Palatinate; Henry Frederic of Naſſau, aſſiſted by Barnevelt the Penſionary of Holland, was ambaſſador from the ſtates of the United Provinces. Aremberg was ſent by Archduke Albert; and Taxis was expected in a little time from Spain. But he who moſt excited the attention of the public, both on account of his own merit and that of his maſter, was the marqueſs of Roſni, afterwards duke of Sully, prime miniſter and favourite of Henry IV. of France.

1603. State of Europe.

WHEN the dominions of the houſe of Auſtria devolved on Philip II. all Europe was ſtruck with terror leſt the power of a family, which had been raiſed by fortune ſhould now be carried to an immeaſurable height, by the wiſdom and conduct of this monarch. But never were apprehenſions found in the event to be more groundleſs. Slow without prudence, ambitious without enterprize, falſe without deceiving any body, and refined without any true judgment; ſuch was the character of Philip, and ſuch the character, which during his life-time, and after his death, he impreſſed on the Spaniſh councils. Revolted or depopulated provinces, diſcontented or indolent inhabitants, were the ſpectacles which thoſe dominions, lying in every climate of the globe, preſented to Philip III. a weak prince, and to the duke of Lerma, a miniſter weak and odious. But though military diſcipline, which ſtill remained, was what alone gave ſome appearance of life and vigour to that languiſhing body; yet ſo great was the terror, produced by former power and ambition, that the reduction of the houſe of Auſtria was the object of men's vows, throughout all the ſtates of Chriſtendom. It was not perceived, that the French empire, now united in domeſtic peace, and governed by the moſt heroic and moſt amiable prince that adorns modern ſtory, was become, of itſelf, a ſufficient counterpoiſe to the Spaniſh greatneſs. Perhaps, that prince himſelf did not perceive it, when he propoſed, by his miniſter, a league with James, in conjunction with Venice, the United Provinces, and the northern crowns; in order to attack the Auſtrian dominions on every ſide, and depreſs the exorbitant power of that ambitious family [c]. But the genius

Roſni's negociations.

[c] Sully's Memoirs.

of the Engliſh monarch was not equal to ſuch vaſt enterprizes. The love of peace was his ruling paſſion; and it was his peculiar felicity, that the conjunctures of the times rendered the ſame object, which was agreeable to him, in the higheſt degree advantageous to his people.

THE French ambaſſador, therefore, was obliged to depart from theſe extenſive views, and to concert with James the means of providing for the ſafety of the United Provinces: Nor was this object altogether without its difficulties. The king, before his acceſſion, had entertained ſcruples with regard to the revolt of the Low-Countries; and being commonly open and ſincere [f], he had, on many occaſions, gone ſo far as to give to the Dutch the appellation of rebels [g]: But having converſed more fully with Engliſh miniſters and courtiers, he found their attachment to that republic ſo ſtrong, and their opinion of common intereſt ſo eſtabliſhed, that he was obliged to ſacrifice to politics his ſenſe of juſtice; a quality which, even when erroneous, is reſpectable as well as rare in a monarch. He therefore agreed with Roſni to ſupport ſecretly the ſtates-general, in concert with the king of France; leſt their weakneſs and deſpair ſhould oblige them to ſubmit to their old maſter. The articles of the treaty were few and ſimple. It was ſtipulated, that the two kings ſhould allow the Dutch to levy forces in their reſpective dominions; and ſhould underhand remit to that republic the ſum of 1,400,000 livres a-year for the pay of theſe forces: That the whole ſum ſhould be advanced by the king of France; but that the third of it ſhould be deducted from the debt due by him to queen Elizabeth. And if the Spaniards attacked either of the princes, they agreed to aſſiſt each other; Henry with a force of ten thouſand men, James with that of ſix. This treaty, one of the wiſeſt and moſt equitable concluded by James, during the courſe of his reign, was more the work of the prince himſelf, than any of his miniſters [h].

AMIDST the great tranquillity, both foreign and domeſtic, with which the nation was bleſt, nothing could be more ſurpriſing than the diſcovery of a conſpiracy to ſubvert the government, and to fix on the throne Arabella Stuart, a near relation of the king's by the family of Lenox, and deſcended equally from Henry VII. Every thing remains ſtill myſterious in this conſpiracy; and hiſtory can give us no clue to unravel it. Watſon and Clarke, two catholic prieſts, were accuſed of the plot: Lord Grey, a puritan: Lord Cobham, a thoughtleſs man, of no fixt principle: And Sir Walter Raleigh, ſuſpected to be of that philoſophical ſect, who were then extremely rare in England, and who have ſince received the appellation of *free thinkers*. Together with theſe, Mr. Broke, brother to lord Cobham, Sir Griffin Markham, Mr. Copeley, Sir

1603. Raleigh's conſpiracy.

[f] La Boderie, vol. i. p. 120. [g] Winwood, vol. ii p. 55. [h] Sully's Memoirs.

Edward Parham. What cement could unite men of ſuch diſcordant principles in ſo dangerous a combination; what end they propoſed, or what means proportioned to an undertaking of this nature, has never yet been explained, and cannot eaſily be imagined. As Raleigh, Grey, and Cobham, were commonly believed, after the queen's death, to have oppoſed proclaiming the king, till conditions ſhould be made with him; they were upon that account extremely obnoxious to the court and miniſtry; and the people were apt, at firſt, to ſuſpect, that the plot was merely a contrivance of ſecretary Cecil, to get rid of his old confederates, now become his moſt inveterate enemies. But the confeſſion, as well as trial of the criminals, put the matter beyond doubt [i]. And though no one could find any marks of a concerted enterprize, it appeared, that men of furious and ambitious ſpirits, meeting frequently together, and believing all the world diſcontented like themſelves, had entertained very criminal projects, and had even entered, ſome of them at leaſt, into a correſpondence with Aremberg, the Flemiſh ambaſſador, in order to give diſturbance to the new ſettlement.

THE two prieſts [k] and Broke [l] were executed: Cobham, Grey, and Markham, were pardoned [m], after they had laid their heads upon the block [n]. Raleigh too was reprieved, not pardoned; and he remained in confinement many years afterwards.

IT appears from Sully's Memoirs, that Raleigh ſecretly offered his ſervices to the French ambaſſador; and we may thence preſume, that, meeting with a repulſe from that quarter, he had recourſe, for the ſame unwarrantable purpoſes, to the Flemiſh miniſter. Such a conjecture we are now enabled to form; but it muſt be confeſſed, that, on his trial, there appeared no proof of this tranſaction, nor indeed any circumſtance which could juſtify his condemnation. He was accuſed by Cobham alone, in a ſudden fit of paſſion, upon hearing that Raleigh, when examined had pointed out ſome circumſtances, by which Cobham's guilt might be known and aſcertained. This accuſation Cobham afterwards retracted; and ſoon after, he retracted his retractation. Yet upon the written evidence of this ſingle witneſs, a man of no honour or underſtanding, and ſo contradictory in his teſtimony; not confronted with Raleigh; not ſupported by any concurring circumſtance; was that great man, contrary to all law and equity, found guilty by the jury. His name was at that time extremely odious in England; and every man was pleaſed to give ſentence againſt the capital enemy of Eſſex, the favourite of the people.

SIR Edward Coke, the famous lawyer, then attorney-general, managed

[i] State trials, p. 180. 2d. edit. Winwood, vol. ii. p. 8. 11.
[k] Novem. 29. [l] Decem. 5. [m] Decem. 9 [n] Winwood, vol. ii. p. 11.

the cauſe for the crown, and threw out on Raleigh ſuch groſs abuſe, as may be deemed a great reflection, not only on his own memory, but even, in ſome degree, on the manners of the age. Traitor, monſter, viper, and ſpider of hell, are the terms which he employs againſt one of the moſt illuſtrious men of the kingdom, who was under trial for life and fortune, and who defended himſelf with temper, eloquence, and courage [o].

THE next occupation of the king was entirely according to his heart's content. He was employed, in dictating magiſterially to an aſſembly of divines concerning points of faith and diſcipline, and in receiving the applauſes of theſe holy men for his ſuperior zeal and learning. The religious diſputes between the church and the puritans had induced him to call a conference at Hampton court, on pretence of finding expedients, which might reconcile both parties. 1604.

THOUGH the ſeverities of Elizabeth towards the catholics had much weakened that party, whoſe genius was oppoſite to the prevailing ſpirit of the nation; like ſeverities had had ſo little influence on the puritans, who were encouraged by that ſpirit, that no leſs than ſeven hundred and fifty clergymen of that party ſigned a petition to the king on his acceſſion; and many more ſeemed willing to adhere to it [p]. They all hoped that James, having received his education in Scotland, and having ſometimes profeſſed an attachment to the church eſtabliſhed there, would at leaſt abate the rigour of the laws enacted in ſupport of the ceremonies, and againſt puritans; if he did not ſhow more particular grace and encouragement to that ſect. But the king's diſpoſition had taken ſtrongly a contrary bias. The more he knew the puritanical clergy, the leſs favour he bore to them. He had remarked in their Scottiſh brethren a violent turn towards republicaniſm, and a zealous attachment to civil liberty; principles nearly allied to that religious enthuſiaſm, with which they were actuated. He had found, that being moſtly perſons of low birth, and mean education, the ſame lofty pretenſions, which attended them in their familiar addreſſes to their Maker, of whom they believed themſelves the peculiar favourites, induced them to uſe the utmoſt freedoms with their earthly ſovereign. In both capacities, of monarch and of theologian, he had experienced the little complaiſance which they were diſpoſed to ſhow him; whilſt they controuled his commands, diſputed his tenets, and, to his face, before the whole people, cenſured his conduct and behaviour. If he had ſubmitted to the indignity of courting their favour he treaſured up, on that account, the ſtronger reſentment againſt them, and was determined to make them feel, in their turn the weight of his authority. Though he had often met

[o] State Trials, 1ſt edit. p 176, 177. 182. [p] Fuller, book 10. Collier, vol. ii. p. 672.

with reſiſtance and faction and obſtinacy in the Scottiſh nobility, he retained no ill-will to that order; or rather ſhowed them favour and kindneſs in England, beyond what reaſon and ſound policy could well juſtify: But the aſcendant, which the preſbyterian clergy had aſſumed over him, was what his monarchical pride could never thoroughly digeſt [q].

He dreaded likewiſe the popularity, which attended this order of men in both kingdoms. As uſeleſs auſterities and ſelf-denial are imagined, in many religions, to render us acceptable to a benevolent Being who created us ſolely for happineſs, James remarked, that the ruſtic ſeverity of theſe clergymen, and of their whole ſect, had given them, in the eyes of the multitude, the appearance of ſanctity and virtue. Strongly inclined himſelf to mirth and wine and ſports of all kinds, he apprehended their cenſure for his manner of life, free and diſengaged. And, being thus averſe, from temper as well as policy, to the ſect of puritans, he was reſolved, if poſſible, to prevent its farther growth in England.

BUT it was the character of James's councils, throughout his whole reign, that they were more wiſe and equitable, in their end, than prudent and political, in the means. Though juſtly ſenſibly, that no part of civil adminiſtration required greater care or a nicer judgment than the conduct of religious parties; he had not perceived, that, in the ſame proportion as this practical knowledge of theology is requiſite, the ſpeculative refinements in it are mean and even dangerous in a monarch. By entering zealouſly into frivolous diſputes, James gave them an air of importance and dignity, which they could not otherwiſe have acquired; and being himſelf enliſted in the quarrel, he could no longer have recourſe to contempt and ridicule, the only proper method of appeaſing it. The church of England had not yet abandoned the rigid doctrines of grace and predeſtination: The puritans had not yet ſeparated themſelves from the church, nor openly renounced epiſcopacy. Though the ſpirit of the parties was conſiderably different, the only appearing ſubjects of diſpute were concerning the croſs in baptiſm, the ring in marriage, the uſe of the ſurplice, and the bowing at the name of Jeſus. Theſe were the mighty queſtions, which were ſolemnly agitated in the conference at Hampton-court between ſome biſhops and dignified clergymen on the one hand, and ſome leaders of the puritanical party on the other; the king and his miniſters being preſent [r].

1604. Conference at Hampton court.

[q] James ventured to ſay in his Baſiiicon Doron, publiſhed while he was in Scotland: "I proteſt before the great God, and ſince I am here as upon my Teſtament, it is no place for me to lie in, that ye ſhall never find with any Highland or Borderer Thieves, greater ingratitude and more lies and vile perjuries, than with theſe fanatic ſpirits. And ſuffer not the principal of them to brook your land." *K. James's Works* p. 161.

[r] Fuller's Eccleſiaſt. Hiſtory.

THE puritans were here ſo unreaſonable as to complain of a partial and unfair management of the diſpute; as if the ſearch after truth were in any degree the object of ſuch conferences, and a candid indifference, ſo rare even among private enquirers in *philoſophical* queſtions, could ever be expected among princes and prelates, in a *theological* controverſy. The king, it muſt be confeſſed, from the beginning of the conference, ſhowed the ſtrongeſt propenſity to the eſtabliſhed church, and frequently inculcated a maxim, which, though it has ſome foundation, is to be received with great limitations. No BISHOP, No KING. The biſhops, in their turn, were very liberal of their praiſes towards the royal diſputant; and the archbiſhop of Canterbury, ſaid, that *undoubtedly his majeſty ſpake by the ſpecial aſſiſtance of God's ſpirit* [s]. A few alterations in the liturgy were agreed to, and both parties ſeparated with mutual diſſatisfaction. 1603. 4th Jan.

IT had frequently been the practice of the puritans to form certain aſſemblies which they call *propheſyings*; where alternately, as moved by the ſpirit, they diſplayed their zeal in prayers and exhortations, and raiſed their own enthuſiaſm, as well as that of their audience, to the higheſt pitch, from that ſocial contagion, which has ſo mighty an influence on holy fervours, and from the mutual emulation, which aroſe in thoſe trials of religious eloquence. Such dangerous ſocieties had been ſuppreſſed by Elizabeth; and the miniſters in this conference moved the king for their revival. But James ſharply replied, *if you aim at a* Scottiſh *presbytery it agrees as well with monarchy as God and the devil. There* Jack *and* Tom *and* Will *and* Dick *ſhall meet and cenſure me and my council. Therefore I reiterate my former ſpeech:* Le Roi s'aviſera. *Stay, I pray, for one ſeven years before you demand; and then, if you find me grow purſie and fat, I may perchance hearken unto you. For that government will keep me in breath, and give me work enough.* [t] Such were the political conſiderations, which determined the king in his choice among religious parties.

THE next aſſembly, in which James diſplayed his learning and eloquence, was one that ſhowed more ſpirit and liberty than appeared among his biſhops and theologians. The parliament was now ready to aſſemble; being ſo long delayed on account of the plague which had broken out in London, and raged to ſuch a degree, that above 30,000 perſons are computed to have died of it in a year: though the city contained at this time little more than 150,000 inhabitants. A parliament. 19th March

The ſpeech which the king made on opening the parliament, fully diſplays his character, and proves him to have poſſeſſed more knowledge and

s Kennet, p. 665. t Fuller's eccleſiaſt. hiſtory.

better parts, than prudence or any juſt ſenſe of decorum and propriety [u]. Though few productions of the age ſurpaſs this performance either in ſtyle or matter; it wants that majeſtic brevity and reſerve, which becomes a king in his adreſſes to the great council of the nation. It contains, however, a remarkable ſtroke of candor, where he confeſſes his too great facility in yielding to the ſolicitations of ſuitors [x]. A fault which he promiſes to correct, but which adhered to him, and diſtreſſed him, during the whole courſe of his reign.

THE firſt buſineſs, in which the commons were engaged, was of the utmoſt importance to the preſervation of their privileges; and neither temper nor reſolution were wanting in their conduct of it.

IN the former periods of the Engliſh government, the houſe of commons was of ſo ſmall weight in the balance of the conſtitution, that little attention had been given, either by the crown, the people, or the houſe itſelf, to the choice and continuance of the members. It had been uſual, after parliaments were prolonged beyond one ſeſſion, for the chancellor to exert a diſcretionary authority of iſſuing new writs to ſupply the place of any members, whom he judged incapable of attending, either on account of their employment, their ſickneſs, or other impediment. This practice gave that miniſter, and conſequently the prince, an unlimited power of modeling at pleaſure the repreſentatives of the nation; yet ſo little jealouſy had it created, that the commons, of themſelves, without any court influence or intrigue, and contrary to ſome former votes of their own, confirmed it in the twenty-third of Elizabeth [y]. At that time, though ſome members, whoſe places had been ſupplied on account of ſickneſs, having now recovered their health, appeared in the houſe, and claimed their ſeat; ſuch was the authority of the chancellor, that merely out of reſpect to him, his ſentence was adhered to, and the new members were continued in their places. Here a moſt dangerous prerogative was conferred on the crown: But to ſhow the genius of that age, or rather the channels in which power then ran, the crown put very little value on this authority; inſomuch that two days afterwards, the chancellor, of himſelf, reſigned it back to the commons, and gave them power to judge of a particular vacancy in their houſe. And when the queſtion, concerning the chancellor's new writs, was again brought on the carpet towards the end of the ſeſſion, the commons were ſo little alarmed at the precedent, that, though they re-admitted ſome old members, whoſe ſeats had been vacated, on account of ſlight indiſpoſitions, yet they confirmed the chancellor's ſentence in inſtances where the diſtemper appeared to have been dangerous and incura-

[u] K. James's Works, p. 484. 485, &c. Journ. 22d March, 1603. Kennet, p. 668.
[x] K. James's Works, p. 495, 496. [y] Journ. January 19, 1580.

ble [z]. Nor did they proceed any farther, in vindication of their privileges, than to vote, *that, during the ſitting of parliament, there do not, at any time, any writ go out for chuſing or returning any member without the warrant of the houſe.* In Elizabeth's reign we may remark, and the reigns preceding ſeſſions of parliament were not uſually the twelfth part ſo long as the vacations; and during the latter, the chancellor's power, if he pleaſed to exert it, was confirmed, at leaſt left, by this vote, as unlimited and unreſtrained as ever.

In a ſubſequent parliament, the abſolute authority of the queen was exerted in a manner ſtill more open; and began for the firſt time to give alarm to the commons. New writs having been iſſued by the chancellor, when there was no vacancy, and a controverſy ariſing upon that accident; the queen ſent a meſſage to the houſe, informing them, that it were impertinent for them to deal in ſuch matters. Theſe queſtions, ſhe ſaid, belonged only to the chancellor; and ſhe had appointed him to confer with the judges, in order to ſettle all diſputes with regard to elections. The commons had the courage, a few days after, to vote, "That it was a moſt "perilous precedent, where two knights of a county were duly elected, "if any new writ ſhould iſſue out for a ſecond election, without order of "the houſe itſelf; that the diſcuſſing and adjudging of this and ſuch like "differences belonged only to the houſe; and that there ſhould be no meſ-"ſage ſent to the lord chancellor, not ſo much as to enquire what he had "done in the matter, becauſe it was conceived to be a matter derogatory "to the power and privilege of the houſe [a]." This is the moſt conſiderable, and almoſt only inſtance, of parliamentary liberty, which occurs during the reign of that princeſs.

OUTLAWS, whether on account of debts or crimes, had been declared by the judges [b] incapable of enjoying a ſeat in the houſe, where they muſt themſelves be law-givers; but this opinion of the judges had been frequently over-ruled. I find, however, in the caſe of Vaughan [c], who was queſtioned for an outlawry, that, having proved all his debts to have been contracted by ſuretiſhip, and to have been, moſt of them, honeſtly compounded, he was allowed, on account of theſe favourable circumſtances, to keep his ſeat: Which plainly ſuppoſes, that, otherwiſe, it would have been vacated, on account of the outlawry [d].

z Journ. March 10, 1480. See farther D'Ewes, p. 430.

a D'Ewes, p. 397. b 39 H. 6. c Journ. Feb. 8. 1580.

d In a ſubſequent parliament, that of the 35th of the queen, the commons, after a great debate, expreſsly voted, that a perſon outlawed might be elected. D'Ewes, p. 518. But as the matter had been much conteſted, the king might think the vote of the houſe no law, and might eſteem his own deciſion of more weight than theirs. We may alſo ſuppoſe that he was not acquainted with this vote. Queen Elizabeth, in her ſpeech to her laſt parliament, complained of their admitting outlaws, and repreſents that conduct of the houſe as a great abuſe.

WHEN James ſummoned this parliament, he iſſued a proclamation [e]; in which, among many general advices, which, like a kind tutor, he beſtowed on his people, he ſtrictly enjoins them not to chuſe any outlaw for their repreſentative. And he adds; *If any perſon take upon him the place of knight, citizen, or burgeſs, not being duly elected, according to the laws and ſtatutes in that behalf provided, and according to the purport, effect, and true meaning of this our proclamation, then every perſon ſo offending to be fined or impriſoned for the ſame.* A proclamation, here was plainly, put on the ſame footing with a law, and that in ſo delicate a point as the right of elections: Moſt alarming circumſtances, had there not been reaſon to believe, that this meaſure, being entered into ſo early in the king's reign proceeded more from precipitation and miſtake than from any any ſerious deſign of invading the privileges of parliament [f].

SIR Francis Goodwin was choſen member for the county of Bucks; and his return, as uſual, was made into chancery. The chancellor, pronouncing him an outlaw, vacated his ſeat, and iſſued writs for a new election [g]. Sir John Forteſcue was choſen in his place by the county: But the firſt act of the houſe was to reverſe the chancellor's ſentence, and reſtore Sir Francis to his ſeat. At the king's ſuggeſtion, the lords deſired a conference on the ſubject; but were abſolutely refuſed by the commons, as the queſtion entirely regarded their own privileges [h]. The commons, however, agreed to make a remonſtrance to the king by the mouth of their ſpeaker; in which they maintained, that though the returns were by form made into chancery, yet the ſole right of judging with regard to elections belonged to the houſe itſelf, not to the chancellor [i]. James, was not ſatisfied, and ordered a conference between the houſe and the judges, whoſe opinion in this caſe was oppoſite to that of the commons. This conference, he commanded as an *abſolute* king [k]; an epithet, we are apt to imagine, not very grateful to Engliſh ears, but one to which they had already been ſomewhat accuſtomed from the mouth of Elizabeth [l]. He added, *That all their privileges were derived from his grant, and hoped they would not turn them againſt him* [m]; a ſentiment, which, from her conduct, it it is certain, that princeſs had alſo entertained, and which was the reign-

[e] Jan. 11. 1604. Rymer, tom. xvi. p. 561.

[f] The duke of Sully tells us, that it was a maxim of James, that no prince, in the firſt year of his reign, ſhould begin any conſiderable undertaking: A maxim reaſonable in itſelf, and very ſuitable to his cautious, not to ſay timid character. The facility with which he departed from his pretenſion, is another proof that his meaning was innocent. But had the privileges of parliament been at that time exactly aſcertained or royal power fully limited, could ſuch an imagination ever have been entertained by him as to think that his proclamations could regulate parliamentary elections? [g] Winwood, vol. ii. p. 18, 19. [h] Journ. 26th March, 1604 [i] Journ. 3d April, 1604. [k] See note [A] at the end of the volume. [l] Camden, in Kennet, p. 375. [m] Journ. 29th March 4th April, 1604.

ing principle of her courtiers and miniſters, and the ſpring of all her adminiſtration.

THE commons were in ſome perplexity. Their eyes were now opened, and they ſaw the conſequences of that power which had been aſſumed by the chancellor, and to which their predeceſſors had, in ſome inſtances, blindly ſubmitted. *By this courſe*, ſaid a member, *the free election of the counties is taken away, and none ſhall be choſen but ſuch as ſhall pleaſe the king and council. Let us, therefore, with fortitude, underſtanding, and ſincerity, ſeek to maintain our privilege. This cannot be conſtrued any contempt in us, but merely a maintenance of our common rights, which our anceſtors have left us, and which it is juſt and fit for us to tranſmit to our poſterity* [n]. Another ſaid, [o], *This may be called a* quo warranto *to ſeize all our liberties. A chancellor*, added a third, *by this courſe may call a parliament conſiſting of what perſons he pleaſes. Any ſuggeſtion, by any perſon, may be the cauſe of ſending a new writ. It is come to this plain queſtion, Whether the chancery or parliament ought to have authority* [p]?

NOTWITHSTANDING this watchful ſpirit of liberty, which now appeared in the commons, their deference for majeſty was ſo great, that they appointed a committee to confer with the judges before the king and council. There the queſtion of law began to appear in James's eyes, a little more doubtful than he had hitherto imagined it; and in order to extricate himſelf with ſome honour, he propoſed that both Goodwin and Forteſcue ſhould be ſet aſide, and a writ be iſſued by warrant of the houſe, for a new election. Goodwin gave his conſent and the commons embraced the expedient; but in ſuch a manner, that, while they ſhowed their regard for the king, they ſecured for the future the free poſſeſſion of their ſeats, and the right which they claimed, of judging ſolely in their own elections and returns [q].

A POWER like this, ſo eſſential to the exerciſe of all their other powers, themſelves ſo eſſential to public liberty, cannot fairly be deemed an encroachment in the commons; but muſt be regarded as an inherent privilege, happily reſcued from that ambiguity which the negligence of ſome former parliaments had thrown upon it.

AT the ſame time the commons, in the caſe of Sir Thomas Shirely, eſtabliſhed their power of puniſhing, as well the perſons at whoſe ſuit any member is arreſted, as the officers who either arreſt or detain him. Their aſſerting of this privilege admits of the ſame reflection [r].

ABOUT this period, the minds of men throughout Europe, eſpecially

[n] Journ. 30th March, 1604: [o] Id. ibid. [p] Id. ibid. [q] See note (B) at the end of the volume. [r] Jour. 6th and 7th May, 1604.

in England, ſeem to have undergone a general, but inſenſible revolution. Though letters had been revived in the preceding age, they were chiefly cultivated by thoſe ſedentary profeſſions; nor had they, till now, begun to ſpread themſelves, in any degree, among men of the world. Arts, both mechanical and liberal, were every day receiving great improvements. Navigation had extended itſelf over the whole globe. Travelling was ſecure and agreeable. And the general ſyſtem of politics in Europe was become more enlarged and comprehenſive.

IN conſequence of this univerſal fermentation, the ideas of men enlarged themſelves on all ſides; and the ſeveral conſtituent parts of the Gothic governments, which ſeem to have lain long inactive, began every where, to operate and encroach on each other. On the continent, where the neceſſity of diſcipline had begotten ſtanding armies, the princes commonly eſtabliſhed an unlimited authority, and overpowered, by force or intrigue, the liberties of the people. In England, the love of freedom, which, unleſs checked, flouriſhes extremely in all liberal natures, acquired new force, and was regulated by more enlarged views, ſuitably to that cultivated underſtanding, which became, every day, more common among men of birth and education. A familiar acquaintance with the precious remains of antiquity excited, in every generous breaſt, a paſſion for a limited conſtitution, and begat an emulation of thoſe manly virtues, which the Greek and Roman authors, by ſuch animating examples, as well as pathetic expreſſions, recommend to us. The ſevere, though popular government of Elizabeth, had confined this riſing ſpirit within very narrow bounds: But when a new and a foreign family ſucceeded to the throne, and a prince leſs dreaded and leſs beloved, ſymptoms immediately appeared of a more free and independent genius in the nation.

HAPPILY this prince poſſeſſed neither ſufficient capacity to perceive the alteration, nor ſufficient art and vigour to check it in its early advances. Jealous of regal, becauſe conſcious of little perſonal authority, he had eſtabliſhed within his own mind a ſpeculative ſyſtem of abſolute government, which few of his ſubjects, he believed, and none but traitors and rebels, would make any ſcruple to admit. On whichever ſide he caſt his eye, every thing concurred to encourage his prejudices. When he compared himſelf with the other hereditary princes of Europe, he imagined, that as he bore the ſame rank, he was entitled to equal prerogatives; not conſidering the innovations lately introduced by them, and the military force, by which their authority was ſupported. In England, that power, almoſt unlimited, which had been exerciſed for above a century, eſpecially during the late reign, he aſcribed ſolely to royal birth and title; not to the prudence and ſpirit of the monarchs, nor to the conjunctures of the times. Even the oppoſition which he had ſtruggled with in Scotland, encouraged him ſtill farther in his fa-

vourite notions; while he there ſaw, that the ſame reſiſtance which oppoſed regal authority, violated all law and order, and made way either for the ravages of a barbarous nobility, or for the more intolerable inſolence of ſeditious preachers. In his own perſon, therefore, he thought all legal power to be centered, by an hereditary and a divine right: And this opinion might have proved dangerous, if not fatal, to liberty, had not the firmneſs of the perſuaſion, and its ſeeming evidence, induced him to truſt ſolely to his right, without making the ſmalleſt proviſion, either of force or politics to ſupport it.

SUCH were the oppoſite diſpoſitions of parliament and prince, at the commencement of the Scottiſh line; diſpoſitions juſt beginning to exiſt and to appear in the parliament [t], but thoroughly eſtabliſhed and openly avowed on the part of the prince.

THE ſpirit and judgement of the houſe of commons appeared, not only in defence of their own privileges, but alſo in their endeavour, though, at this time, in vain, to free trade from thoſe ſhackles, which the high exerted prerogative, and even, in this reſpect, the ill-judged tyranny of Elizabeth, had impoſed upon it.

JAMES had already, of his own accord, called in and annulled all the numerous patents for monopolies which had been granted by his predeceſſor, and which extremely fettered every ſpecies of domeſtic induſtry: But the excluſive companies ſtill remained; another ſpecies of monopoly, by which almoſt all foreign trade, except that to France, was brought into the hands of a few rapacious engroſſers, and all proſpect of future improvement in commerce was for ever ſacrificed to a little temporary advantage of the ſovereign. Theſe companies, though arbitrarily erected, had carried their privileges ſo far, that almoſt all the commerce of England was centered in London; and it appears, that the cuſtoms of that port amounted to 110,000 l. a-year, while thoſe of all the kingdom beſide yielded only ſeventeen thouſand [u]. Nay, the whole trade of London was confined to about 200 citizens [w], who were eaſily enabled, by combining among themſelves, to fix whatever price theypleaſed both to the exports and imports of the nation. The committee appointed to examine this enormous grievance, one of the greateſt which we read of in Engliſh ſtory, inſiſt on it as a fact well known and avowed, however contrary to preſent received opinion, that ſhipping and ſeamen had ſenſibly decayed during all the preceding reign [w]. And though nothing be more common than complaints of the

[t] See note (C) at the end of the volume.

[u] Journ. 21 May, 1604 [u] Id Ibid. [w] A remonſtrance from the Trinity-houſe, in 1602, ſays, that in a little above twelve years, after 1586, the ſhipping and number of ſeamen in England decayed about a third. Angleſey's happy future ſtate of England. p. 128, from Sir Julius Cæſar's Collections. See Journ. 21. May, 1604.

decay of trade even during the moſt flouriſhing periods; yet is this a conſequence which might naturally reſult from ſuch arbitrary eſtabliſhments, at a time when the commerce of all the other nations of Europe, except that of Scotland, enjoyed full liberty and indulgence.

WHILE the commons were thus attempting to give liberty to the trading part of the nation, they alſo endeavoured to free the landed property from the burthen of wardſhips [x], and to remove thoſe remains of the feudal tenures, under which the nation ſtill laboured. A juſt regard was ſhown to the crown in the conduct of this affair; nor was the remedy, ſought for, conſidered as a matter of right, but merely of grace and favour. The profit which the king reaped, both from wards and from reſpite of homage, was eſtimated; and it was intended to compound for theſe prerogatives by a ſecure and independent revenue. But after ſome debates in the houſe, and ſome conferences with the lords, the affair was found to contain more difficulties than could eaſily, at that time, be ſurmounted; and it was not then brought to any concluſion.

THE ſame fate attended an attempt of a like nature, to free the nation from the burthen of purveyance. This prerogative had been much abuſed by the purveyors [y]; and the commons ſhewed ſome intention to offer the king fifty thouſand pounds a-year for the abolition of it.

ANOTHER affair of the utmoſt conſequence was brought before the parliament, where the commons ſhewed a greater ſpirit of independance than any true judgment of national intereſt. The union of the two kingdoms was zealouſly, and even impatiently urged by the king [z]. He juſtly regarded it as the peculiar felicity of his reign, that he had terminated the bloody animoſities of theſe hoſtile nations, and had reduced the whole iſland under one government; enjoying tranquillity within itſelf, and ſecurity from all foreign invaſions. He hoped, that, while his ſubjects of both kingdoms reflected on paſt diſaſters, beſides regarding his perſon as infinitely precious, they would entertain the ſtrongeſt deſire of ſecuring themſelves againſt the return of like calamities, by a thorough union of laws, parliaments, and privileges. He conſidered not, that this very reflection operated, as yet, in a contrary manner, on men's prejudices, and kept alive that mutual hatred between the nations, which had been carried to the greateſt extremities, and required time to allay it. The more urgent the king appeared in promoting ſo uſeful a meaſure, the more backward was the Engliſh parliament in concurring with him; while they aſcribed his exceſſive zeal, to that partiality, in favour of his ancient ſubjects, of which they thought, that, on other occaſions, they had reaſon to complain.

[x] Journ. 1 June, 1604. [y] Journ. 30 April, 1604. [z] Journ. 21 April, 1. May, 1604. Parliamentary Hiſtory, vol. v. p. 91.

Their complaiſance for the king, therefore, carried them no farther than to appoint forty-four Engliſh to meet with thirty-one Scottiſh commiſſioners, in order to deliberate concerning the terms of a union; but without any power of making advances towards the eſtabliſhment of it [a].

THE ſame ſpirit of independence, and perhaps not better judgment, appeared in the houſe of commons, when the queſtion of ſupply was brought before them, by ſome members, attached to the court. In vain was it urged, that, though the king received a ſupply, which had been voted to Elizabeth, and which had not been collected before her death; yet he found it burthened with a debt contracted by the queen, equal to the full amount of it: That peace was not yet thoroughly concluded with Spain, and that Ireland was ſtill expenſive to him: That on his journey from Scotland amidſt ſuch a concourſe of people, and on that of the queen and royal family, he had expended conſiderable ſums: And that, as the courtiers had looked for greater liberalities from the prince on his acceſſion, and had impoſed on his generous nature; ſo the prince, in his turn, would expect, at the beginning, ſome mark of duty and attachment from his people, and ſome conſideration of his neceſſities. No impreſſion was made on the houſe of commons by theſe topics; and the majority appeared fully determined to refuſe all ſupply. The burthen of government, at that time, lay ſurpriſingly light upon the people: And that very reaſon, which to us, at this diſtance, may ſeem a motive of generoſity, was the real cauſe why the parliament was, on all occaſions, ſo remarkably frugal and reſerved. They were not, as yet, accuſtomed to open their purſes in ſo liberal a manner as their ſucceſſors, in order to ſupply the wants of their ſovereign; and the ſmalleſt demand, however requiſite, appeared in their eyes unreaſonable and exorbitant. The commons ſeem alſo to have been deſirous of reducing the crown to ſtill farther neceſſities, by their refuſing a bill, ſent down to them by the lords, for entailing the crown lands for ever on the king's heirs and ſucceſſors [b]. The diſſipation, made by Elizabeth, had probably taught James the neceſſity of this law, and ſhewn them the advantage of refuſing it.

IN order to cover a diſappointment with regard to ſupply which might bear a bad conſtruction, both at home and abroad, James ſent a meſſage to the houſe [c], in which he told them, that he deſired no ſupply; and he was very forward in refuſing what was never offered. Soon after he prorogued the parliament, not without diſcovering, in his ſpeech, viſible marks of diſſatisfaction. Even ſo early in his reign, he ſaw reaſon to make public complaints of the reſtleſs and encroaching ſpirit of the puritanical party, and of the malevolence with which

1604. 7th July.

[a] Journ. 7. June, 1604. Kennet, p. 673. [b] Parliamentary Hiſt. vol. v. p. 108.
[c] Journ. 26 June, 1604.

they endeavoured to inſpire the commons. Nor were his complaints without foundation, or the puritans without intereſt; ſince the commons, now finding themſelves free from the arbitrary government of Elizabeth, made application for a conference with the lords, and preſented a petition to the king: the purport of both which was to procure, in favour of the puritans, a relaxation of the eccleſiaſtical laws [d]. The uſe of the ſurplice, and of the croſs in baptiſm, is there chiefly complained of; but the remedy ſeems to have been expected ſolely from the king's diſpenſing power [e]. In the papers which contain this application and petition, we may alſo ſee proofs of the violent animoſity of the commons againſt the catholics, together with the intolerating ſpirit of that aſſembly [f].

1604. Peace with Spain. 18th. Aug.

THIS ſummer the peace with Spain was finally concluded, and was ſigned by the Spaniſh miniſters at London [g]. In the conferences, previous to this treaty, the nations were found to have ſo few claims on each other, that, except on account of the ſupport given by England to the Low Country provinces, the war might appear to have been continued more on account of perſonal animoſity between Philip and Elizabeth, than any contrariety of political intereſts between their ſubjects. Some articles in the treaty, which ſeemed prejudicial to the Dutch commonwealth, were never executed by the king; and as the Spaniards made no complaints on that head, it appeared that, by ſecret agreement, the king had expreſsly reſerved the power of ſending aſſiſtance to the Hollanders [h]. The conſtable of Caſtile came into England to ratify the peace; and, on the part of England, the earl of Hertford was ſent into the Low Countries for the ſame purpoſe, and the earl of Nottingham, high admiral, into Spain. The train of the latter was numerous and ſplendid; and the Spaniards, it is ſaid, were exremelyſurprized, when they beheld the blooming countenances and graceful appearance of the Engliſh, whom their bigotry, inflamed by the prieſts, had repreſented as ſo many monſters and infernal dæmons.

THOUGH England, by means of her naval force, was perfectly ſecure, during the latter years of the Spaniſh war, James ſhewed an impatience to put an end to hoſtilities; and ſoon after his acceſſion, before any terms of peace were concerted, or even propoſed, by Spain, he recalled all the letters of marque [i], which had been granted by queen Elizabeth. Archduke Albert had made ſome advances of a like nature [k], which invited the king

d La Boderie, the French ambaſſador, ſays, that, the houſe of commons was compoſed moſtly of puritans, vol. i. p. 81. e Parliamentary Hiſtory, vol. v. p. 98, 99, 100. f See note [D] at the end of the volume. g Rymer, tom. xvi. p. 585, &c. h Winwood, vol. ii. p. 27. 330, *et alibi*. In this reſpect James's peace was more honourable than that which Henry IV. himſelf made with Spain. This latter prince ſtipulated not to aſſiſt the Dutch; and the ſupplies, which he ſecretly ſent them, were in direct contravention to the treaty. i 23d of June, 1603.

k Grotii Annal. lib. 12.

to take this friendly ſtep. But what is remarkable; in James's proclamation for that purpoſe, he plainly ſuppoſes, that, as he had himſelf, while king of Scotland, always lived in amity with Spain, peace was attached to his perſon, and that merely by his acceſſion to the crown of England, without any articles of treaty or agreement, he had ended the war between the kingdoms [l]. This ignorance of the law of nations may appear ſurpriſing in a prince, who was thirty-ſix years of age, and who had reigned from his infancy; did we not conſider, that a king of Scotland, who lives in cloſe friendſhip with England, has few tranſactions to manage with foreign princes, and has little opportunity of acquiring experience. Unhappily for James, his timidity, his prejudices, his indolence, his love of amuſement, particularly of hunting, to which he was much addicted, ever prevented him from making any progreſs in the knowledge or practice of foreign politics, and in a little time diminiſhed that regard which all the neighbouring nations had paid to England during the reign of his predeceſſor [m].

CHAP. XLVI.

Gunpowder conſpiracy——A parliament——Truce betwixt Spain and the United Provinces——A parliament——Death of the French King——Arminianiſm——State of Ireland.

WE are now to relate an event, one of the moſt memorable, that hiſtory has conveyed to poſterity, and containing at once a ſingular proof both of the ſtrength and weakneſs of the human mind; its wideſt departure from morals, and moſt ſteady attachment to religious prejudices. 'Tis the *Gunpowder treaſon* of which I ſpeak; a fact as certain as it appears incredible.

1604. Gunpowder conſpiracy.

THE Roman catholics had expected great favour and indulgence on the acceſſion of James, both as he was deſcended from Mary, whoſe life they believed to have been ſacrificed to their cauſe, and as he himſelf, in his early youth, was imagined to have ſhown ſome partiality towards them; which nothing, they thought, but intereſt and neceſſity had ſince reſtrained. It is pretended, that he had even entered into poſitive engagements to tolerate their religion, as ſoon as he ſhould mount the throne of England; whether their credulity had interpreted in this ſenſe ſome obliging expreſſions of the king's, or that he had employed ſuch an artifice, in order to render them favourable

[l] See proclamations during the firſt ſeven years of K. James. Winwood, vol. ii. p. 65.
[m] Memoires de la Boderie, vol. i. p. 64. 181. 195. 217. 302. vol. ii. p. 244. 478.

to his title [n]. Very ſoon they diſcovered their miſtake; and were at once ſurpriſed and enraged to find James, on all occaſions, expreſs his intention of ſtrictly executing the laws enacted againſt them, and of perſevering in all the rigorous meaſures of Elizabeth: Cateſby, a gentleman of good parts and of an ancient family, firſt thought of a moſt extraordinary method of revenge; and he opened his intention to Piercy, a deſcendent of the illuſtrious houſe of Northumberland. In one of their converſations with regard to the diſtreſſed condition of the catholics, Piercy having broken into a ſally of paſſion, and mentioned aſſaſſinating the king; Cateſby took the opportunity of revealing to him a nobler and more extenſive plan of treaſon, which not only included a ſure execution of vengeance, but afforded ſome hopes of reſtoring the catholic religion in England. In vain, ſaid he, would you put an end to the king's life: He has children, who would ſucceed both to his crown and to his maxims of government. In vain would you extinguiſh the whole royal family: The nobility, the gentry, the parliament, are all infected with the ſame hereſy, and could raiſe to the throne another prince and another family, who, beſides their hatred to our religion, would be animated with revenge for the tragical death of their predeceſſors. To ſerve any good purpoſe, we muſt deſtroy, at one blow, the king, the royal family, the lords, the commons; and bury all our enemies in one common ruin. Happily, they are all aſſembled on the firſt meeting of the parliament; and afford us the opportunity of glorious and uſeful vengeance. Great preparations will not be requiſite. A few of us, combining, may run a mine below the hall, in which they meet; and chooſing the very moment when the king harangues both houſes, conſign over to deſtruction theſe determined foes to all piety and religion. Meanwhile, we ourſelves ſtanding aloof, ſafe and unſuſpected, ſhall triumph in being the inſtruments of divine wrath, and ſhall behold with pleaſure thoſe ſacrilegious walls, in which were paſſed the edicts for proſcribing our church, and butchering our children, toſt into a thouſand fragments; while their impious inhabitants, meditating, perhaps, ſtill new perſecutions againſt us, paſs from flames above to flames below, there for ever to endure the torments due to their offences [o].

PIERCY was charmed with this project of Cateſby; and they agreed to communicate the matter to a few more, and among the reſt to Thomas Winter, whom they ſent over to Flanders, in queſt of Fawkes, an officer in the Spaniſh ſervice, with whoſe zeal and courage they were all thoroughly acquainted. When they inliſted any new conſpirator, in order to bind him to ſecrecy, they always, together with an oath, employed the Communion, the moſt ſacred rite of their religion [p]. And it is remarkable,

[n] State Trials, vol. ii. p. 201. 202, 203. Winwood, vol ii. p. 49. [o] Hiſtory of the Gunpowder Treaſon. [p] State Trials, vol, i. 190, 198. 210.

that no one of these pious devotees ever entertained the least compunction with regard to the cruel massacre, which they projected, of whatever was great and eminent in the nation. Some of them only were startled by the reflection, that of necessity many catholics must be present; as spectators or attendants on the king, or as having seats in the house of peers: But Tesmond, a jesuit, and Garnet, superior of that order in England, removed these scruples, and shewed them how the interests of religion required, that the innocent should here be sacrificed with the guilty.

ALL this passed in the spring and summer of the year 1604; when the conspirators also hired a house in Piercy's name, adjoining to that in which the parliament was to assemble. Towards the end of that year they began their operations. That they might be less interrupted, and give less suspicion to the neighbourhood, they carried in store of provisions with them, and never desisted from their labour. Obstinate in their purpose, and confirmed by passion, by principle, and by mutual exhortation they little feared death in comparison of a disappointment; and having provided arms, together with the instruments of their labour, they resolved there to perish in case of a discovery. Their perseverance advanced the work; and they soon pierced the wall, though three yards in thickness; but on approaching the other side, they were somewhat startled at hearing a noise, which they knew not how to account for. Upon enquiry, they found, that it came from the vault below the house of lords; that a magazine of coals had been kept there; and that, as the coals were selling off, the vault would be let to the highest bidder. The opportunity was immediately seized; the place was hired by Piercy; thirty-six barrels of powder lodged in it; the whole covered up with faggots and billets; the doors of the cellars boldly flung open; and every body admitted, as if it contained nothing dangerous.

CONFIDENT of success, they now began to look forward, and to plan the remaining part of their project. The king, the queen, prince Henry, were all expected to be present at the opening of parliament. The duke, by reason of his tender age, would be absent; and it was resolved, that Piercy should seize him, or assassinate him. The princess Elizabeth, a child likewise, was kept at Lord Harrington's house in Warwickshire; and Sir Everard Digby, Rookwood, Grant, being let into the conspiracy, engaged to assemble their friends on pretence of a hunting match, and seizing that princess, immediately to proclaim her queen. So transported were they with rage against their adversaries, and so charmed with the prospect of revenge, that they forgot all care of their own safety; and trusting to the general confusion, which must result from so unexpected a blow, they foresaw not, that the fury of the people now unrestrained by

any authority, muſt have turned againſt them, and would probably have ſatiated itſelf, by an univerſal maſſacre of the catholics.

THE day, ſo long wiſhed for, now approached, on which the parliament was appointed to aſſemble. The dreadful ſecret, though communicated to above twenty perſons, had been religiouſly kept, during the ſpace of near a year and a half. No remorſe, no pity, no fear of puniſhment, no hope of reward, had, as yet, induced any one conſpirator, either to abandon the enterprize, or make a diſcovery of it. The holy fury had extinguiſhed in their breaſt every other motive: and it was an indiſcretion at laſt, proceeding chiefly from theſe very bigoted prejudices and partialities, which ſaved the nation.

TEN days before the meeting of parliament, Lord Monteagle, a catholic, ſon to Lord Morley received the following letter, which had been delivered to his ſervant by an unknown hand. *My lord, Out of the love I bear to ſome of your friends, I have a care of your preſervation Therefore I would adviſe you, as you tender your life, to deviſe ſome excuſe to ſhift off your attendance at this parliament. For God and man have concurred to puniſh the wickedneſs of this time. And think not ſlightly of this advertiſement; but retire yourſelf into your country, where you may expect the event in ſafety. For, though there be no appearance of any ſtir, yet, I ſay, they will receive a terrible blow this parliament, and yet they ſhall not ſee who hurts them. This counſel is not to be contemned, becauſe it may do you good, and can do you no harm: For the danger is paſt, as ſoon as you have burned the letter. And I hope God will give you the grace to make good uſe of it, unto whoſe holy protection I commend you* [q].

MONTEAGLE knew not what to make of this letter; and though inclined to think it a fooliſh attempt to frighten and ridicule him, he judged it ſafeſt to carry it to Lord Saliſbury, ſecretary of ſtate. Though Saliſbury too was inclined to pay little attention to it, he thought proper to lay it before the king, who came to town a few days after. To the king it appeared not ſo light a matter; and from the ſerious earneſt ſtyle of the letter, he conjectured, that it implied ſomething dangerous and important. A *terrible blow* and yet *the authors concealed*; a danger ſo *ſudden*, and yet ſo *great*; theſe circumſtances ſeemed all to denote ſome contrivance by gun powder; and it was thought adviſeable to inſpect all the vaults below the houſes of parliament. This care belonged to the earl of Suffolk, Lord chamberlain; who purpoſely delayed the ſearch, till the day before the meeting of parliament. He remarked thoſe great piles of wood and faggots, which lay in the vault under the upper houſe; and he caſt his eye upon Fawkes, who ſtood in a dark corner, and paſſed himſelf

[q] K. James's Works, p. 227.

for Piercy's ſervant. That daring and determined courage, which ſo much diſtinguiſhed this conſpirator, even among thoſe heroes in villany, was fully painted in his countenance, and was not paſſed unnoticed by the chamberlain [r]. Such a quantity alſo of fuel, for the uſe of one who lived ſo little in town as Piercy, appeared a little extraordinary [s]; and upon comparing all circumſtances, it was reſolved that a more thorough inſpection ſhould be made. About midnight, Sir Thomas Knevet a juſtice of peace, was ſent with proper attendants; and before the door of the vault, finding Fawkes, who had juſt finiſhed all his preparations, he immediately ſeized him, and turning over the faggots, diſcovered the powder. The matches and every thing proper for ſetting fire to the train were taken in Fawkes's pocket; who finding his guilt now apparent, and ſeeing no refuge but in boldneſs and deſpair, expreſſed the utmoſt regret, that he had loſt the opportunity of firing the powder at once, and of ſweetening his own death by that of his enemies [t]. Before the council, he diſplayed the ſame intrepid firmneſs, mixed even with ſcorn and diſdain; refuſing to diſcover his accomplices, and ſhewing no concern but for the failure of the enterprize [u]. This obſtinacy laſted two or three days: But being confined to the Tower, left to reflect on his guilt and danger, and the rack being juſt ſhown to him; his courage fatigued with ſo long an effort, and unſupported by hope or ſociety, at laſt failed him; and he made a full diſcovery of all the conſpirators [x].

CATESBY, Piercy, and the other criminals, who were in London, though they had heard of the alarm taken at the letter ſent to Monteagle; though they had heard of the chamberlain's ſearch; yet were reſolved to perſiſt to the utmoſt, and never abandon their hopes of ſucceſs [y]. But at laſt, hearing that Fawkes was arreſted, they hurried down to Warwickſhire; where Sir Everard Digby, thinking himſelf aſſured that ſucceſs had attended his confederates, was already in arms, in order to ſeize the princeſs Elizabeth. She had eſcaped into Coventry; and they were obliged to put themſelves on their defence againſt the country, who were raiſed from all quarters, and armed by the ſheriff. The conſpirators, with all their attendants, never exceeded the number of eighty perſons; and being ſurrounded on every ſide, could no longer entertain hopes, either of prevailing or eſcaping. Having therefore confeſſed themſelves, and received abſolution, they boldly prepared for death, and reſolved to ſell their lives as dear as poſſible to the aſſailants. But even this miſerable conſolation was denied them. Some of their powder took fire, and diſabled them for defence [z]. The people ruſhed in upon them. Piercy and

[r] K. James's Works, p. 229. [s] Id. Ibid. [t] Ibid. p. 230. [u] Winwood vol. ii. p. 173. [x] K. James's Works, p. 231. [y] See note [E] at the end of the volume. [z] State Trials, vol. i. p. 199. Diſcourſe of the manner, &c. p. 69, 70.

Cateſby were killed by one ſhot. Digby, Rookwood, Winter, and others, being taken priſoners, were tried, confeſſed their guilt, and died, as well as Garnet, by the hands of the executioner. Notwithſtanding this horrid crime, the bigoted catholics were ſo devoted to Garnet, that they fancied miracles to be wrought by his blood [a]; and in Spain he was regarded as a martyr [b].

NEITHER had the deſperate fortune of the conſpirators urged them to this enterprize, nor had the former profligacy of their lives prepared them for ſo great a crime. Before that audacious attempt, their conduct ſeems, in general, to be liable to no reproach. Cateſby's character had entitled him to ſuch regard, that Rookwood and Digby were ſeduced by their implicit truſt in his judgment; and they declared, that, from the motive alone of friendſhip to him, they were ready, on any occaſion, to have ſacrificed their lives [c]. Digby himſelf was as highly eſteemed and beloved as any man in England; and he had been particularly honoured with the good opinion of Queen Elizabeth [d]. It was bigoted zeal alone, the moſt abſurd of prejudices maſqued with reaſon, the moſt criminal of paſſions covered with the appearance of duty, which ſeduced them into meaſures, that were fatal to themſelves, and had ſo nearly proved fatal to their country [e].

THE Lords Mordaunt and Stourton, two catholics, were fined, the former 10,000 pounds the latter 4000 by the ſtar-chamber; becauſe their abſence from parliament had begotten a ſuſpicion of their being acquainted with the conſpiracy. The earl of Northumberland was fined 30,000 pounds, and detained ſeveral years priſoner in the Tower; becauſe, not to mention other grounds of ſuſpicion, he had admitted Piercy into the number of gentlemen penſioners, without his taking the requiſite oaths [f].

THE king, in his ſpeech to the parliament, obſerved, that, though religion had engaged the conſpirators in ſo criminal an attempt, yet ought we not to involve all the Roman catholics in the ſame guilt, or ſuppoſe them equally diſpoſed to commit ſuch enormous barbarities. Many holy men, he ſaid, and our anceſtors among the reſt, had been ſeduced to concur with that church, in her ſcholaſtic doctrines; who yet had never admitted her ſeditious principles, concerning the pope's power of dethroning kings, or ſanctifying aſſaſſination. The wrath of Heaven is denounced againſt crimes, but innocent error may obtain his favour; and nothing can

[a] Winwood, vol. ii. p. 300. [b] Id. ibid. [c] State Trials, vol. i. p. 201.

[d] Athen. Ox. vol. ii. fol. 254.

[e] Digby, after his condemnation, ſaid in a letter to his wife: "Now for my intention "let me tell you, that if I had thought there had been the leaſt ſin in the plot, I "would not have been of it for all the world; and no other cauſe drew me, to hazard "my fortune and life, b[illegible]real to God's religion." He expreſſes his ſurprize to hear that any catholics had condemned it. *Digby's papers, publiſhed by ſecretary Coventry.*

[f] Camden in Kennet, p. 692

be more hateful than the uncharitableneſs of the puritans, who condemn alike to eternal torments, even the moſt inoffenſive partizans of popery. For his part, he added, that conſpiracy, however atrocious, ſhould never alter, in the leaſt, his plan of government: While with one hand he puniſhed guilt; with the other, he would ſupport and protect innocence [g]. After this ſpeech, he prorogued the parliament till the 22d of January [h].

THE moderation, and, I may ſay, magnanimity, of the king, immediately after ſo narrow an eſcape from a moſt deteſtable conſpiracy, was no wiſe agreeable to his ſubjects. Their animoſity againſt popery, even before this provocation, had riſen to a great pitch; and it had perhaps been more prudent in James, by a little diſſimulation, to have conformed himſelf to it. His theological learning, confirmed by diſputation, had happily fixed his judgment in the proteſtant faith; yet was his heart a little biaſſed by the allurements of Rome, and he had been well pleaſed, if the making of ſome advances could have effected an union with that ancient mother-church. He ſtrove to abate the acrimony of his own ſubjects againſt the religion of their fathers: He became himſelf the object of their diffidence and averſion. Whatever meaſures he embraced: in Scotland to introduce prelacy, in England to enforce the authority of the eſtabliſhed church, and ſupport its rites and ceremonies, were interpreted as ſo many ſteps towards popery; and were repreſented by the puritans as ſymptoms of idolatry and ſuperſtition. Ignorant of the conſequences, or unwilling to ſacrifice to politics his inclination, which he called his conſcience, he perſevered in the ſame meaſures, and gave truſt and preferment, almoſt indifferently, to his catholic and proteſtant ſubjects. And finding his perſon, as well as his title, leſs obnoxious to the church of Rome, than thoſe of Elizabeth, he gradually abated the rigour of thoſe laws, which had been enacted againſt that church, and which were ſo acceptable to his bigoted ſubjects. But the effects of theſe diſpoſitions on both ſides became not very ſenſible, till towards the concluſion of his reign.

AT this time James ſeems to have poſſeſſed the affections even of his Engliſh ſubjects, and, in a tolerable degree, their eſteem and regard. Hitherto their complaints were chiefly levelled againſt his too great conſtancy in his early friendſhips; a quality, which, had it been attended with more œconomy the wiſe would have excuſed, and the candid would even, perhaps, have applauded. His parts which were not deſpicable, and his

[g] K. James's Works, p. 503, 504.

[h] The parliament, this ſeſſion, paſſed an act obliging every one to take the oath of allegiance: A very moderate teſt, ſince it decided no controverted points between the two religions, and only engaged the perſons who took it to abjure the pope's power of dethroning kings. See K. James's Works, p. 250.

learning which was great, being highly extolled by his courtiers and gownmen, and not yet tried in the management of any delicate affairs, for which he was unfit, raiſed a high idea of him in the world; nor was it always through flattery or inſincerity, that he received the title of the ſecond Solomon. A report, which was ſuddenly ſpread about this time, of his being aſſaſſinated, viſibly ſtruck a great conſternation into all orders of men [i]. The commons alſo abated, this ſeſſion ſomewhat of their exceſſive frugality, and granted him an aid, payable in four years, of three ſubſidies and ſix fifteenths, which, Sir Francis Bacon ſaid in the houſe [k], might amount to about four hundred thouſand pounds: And for once the king and parliament parted in friendſhip and good humour. The hatred which the catholics ſo viſibly bore him, gave him, at this time, an additional value in the eyes of his people. The only conſiderable point, in which the commons incurred his diſpleaſure, was by diſcovering their conſtant good will to the puritans, in whoſe favour they deſired a conference with the lords [l]: Which was rejected.

1606. A parliament

The chief affair tranſacted next ſeſſion, was the intended union of the two kingdoms [m]. Nothing could exceed the king's paſſion and zeal for this noble enterprize, but the parliament's prejudice and reluctance againſt it. There remain two excellent ſpeeches in favour of the union, which it would not be improper to compare together; that of the king [n], and that of Sir Francis Bacon. Thoſe who affect in every thing ſuch an extreme contempt for James, will be ſurpriſed to find, that his diſcourſe, both for good reaſoning and elegant compoſition, approaches very near that of a man, who was undoubtedly, at that time, one of the greateſt geniuſes in Europe. A few trivial indiſcretions and indecorums may be ſaid to characterize the harangue of the monarch, and mark it for his own. And, in general, ſo open and avowed a declaration in favour of a meaſure, while he had taken no care, by any precaution or intrigue, to enſure ſucceſs, may ſafely be pronounced an indiſcretion. But the art of managing parliaments, by private intereſt or cabal, being found hitherto of little uſe or neceſſity, had not, as yet, become a part of Engliſh politics. In the common courſe of affairs, government could be conducted without their aſſiſtance; and when their concurrence became neceſſary to the meaſures of the crown, it was, generally ſpeaking, except in times of great faction and diſcontent, obtained without much difficulty.

November 18.

THE king's influence ſeems to have rendered the Scottiſh parliament cordial in all the ſteps which they took towards the union. Though the advantages, which Scotland might hope from that meaſure, were more

[i] Kennet, p. 696. [k] Journ. 20th May, 1606. [l] Journ. 5th April, 1606.
[m] Kennet, p. 676. [n] K. James's works, p. 509.

conſiderable: yet were the objections too with regard to that kingdom, more ſtriking and obvious. The benefit which muſt have reſulted to England, both by acceſſion of ſtrength and ſecurity, was not deſpicable; and as the Engliſh were by far the greater nation, and poſſeſſed the ſeat of government, the objections, either from the point of honour or from jealouſy, could not reaſonably have any place among them. The Engliſh parliament indeed ſeem to have been ſwayed merely by the vulgar motive of national antipathy. And they perſiſted ſo obſtinately in their prejudices, that all the efforts for a thorough union and incorporation ended only in the abolition of the hoſtile laws formerly enacted between the kingdoms [o].

SOME precipitate ſteps which the king, a little after his acceſſion, had taken, in order to promote his favourite project, had been here obſerved to do more injury than ſervice. From his own authority, he had aſſumed the title of king of Great Britain; and had quartered the arms of Scotland with thoſe of England, in all coins, flags, and enſigns. He had alſo engaged the judges to make a declaration, that, all thoſe who, after the union of the crowns, ſhould be born in either kingdom, were, for that reaſon alone, naturalized in both. This was a nice queſtion, and, according to the ideas of thoſe times, ſuſceptible of ſubtile reaſoning on both ſides. The king was the ſame: The parliaments were different. To render the people therefore the ſame, we muſt ſuppoſe that the ſovereign authority reſided chiefly in the prince, and that theſe popular aſſemblies were rather inſtituted to aſſiſt with money and advice, than endowed with any controuling or active powers in government. *It is evident*, ſays Bacon on his pleadings on this ſubject, *that all other commonwealths, monarchies only excepted, do ſubſiſt by a law precedent. For where authority is divided amongſt many officers, and they not perpetual, but annual or temporary, and not to receive their authority but by election, and certain perſons to have voices only in that election, and the like; theſe are buſy and curious frames, which of neceſſity do preſuppoſe a law precedent, written or unwritten, to guide and direct them: But in monarchies, eſpecially hereditary, that is, when ſeveral families or lineages of people do ſubmit themſelves to one line, imperial or royal; the ſubmiſſion is more natural and ſimple; which afterwards, by law ſubſequent, is perfected, and made more formal: but that is grounded upon nature* [p]. It would ſeem, from this reaſoning, that the idea of a *hereditary, limited* monarchy, though implicitly ſuppoſed in many public tranſactions, had ſcarcely ever, as yet, being expreſsly formed by any Engliſh lawyer or politician.

[o] The commons were even ſo averſe to the union, that they had complained in the former ſeſſion to the lords, of the biſhop of Briſtol, for writing a book in favour of it; and the prelate was obliged to make ſubmiſſions for this offence. The crime imputed to him ſeems to have conſiſt edin his treating of a ſubject which lay before the parliament. So little a notion had they as yet of general liberty. See Parliamentary Hiſtory, vol. v. p. 108, 109, 110. [p] Bacon's Works, vol. iv. p. 190, 191. Edit. 1730.

EXCEPT the obſtinacy of the parliament with regard to the union, and an attempt on the king's eccleſiaſtical juriſdiction [q], moſt of their meaſures, duringt his ſeſſion, were ſufficiently reſpectful and obliging; though they ſtill diſcover a vigilant ſpirit, and a careful attention towards national liberty. The votes alſo of the commons ſhow, that the houſe contained a mixture of puritans, who had acquired great authority among them [r], and who, together with religious prejudices, were continually ſuggeſting ideas, more ſuitable to a popular than a monarchical form of government. The natural appetite for rule made the commons lend a willing ear to every doctrine which tended to augment their own power and influence.

A PETITION was moved in the lower houſe for a more rigorous execution of the laws againſt popiſh recuſants, and an abatement towards proteſtant clergymen, who ſcrupled to obſerve the ceremonies. Both theſe points were equally unacceptable to the king; and he ſent orders to the houſe to proceed no farther in that matter. The commons were inclined, at firſt, to conſider theſe orders as a breach of privilege: But they ſoon acquieſced, when told that this meaſure of the king's was ſupported by many precedents during the reign of Elizabeth [s]. Had they been always diſpoſed to make the precedents of that reign the rule of their conduct, they needed never have had any quarrel with any of their monarchs.

1607. 6th June. THE complaints of Spaniſh depredations were very loud among the Engliſh merchants [t]. The lower houſe ſent a meſſage to the lords, deſiring a conference with them, in order to their preſenting a joint petition to the king on the ſubject. The lords took ſome time to deliberate on this meſſage; becauſe they ſaid, the matter was *weighty* and *rare*. It probably occurred to them, at firſt, that the parliament's interpoſing in affairs of ſtate would appear unuſual and extraordinary. And to ſhow that in this ſentiment they were not guided by court influence; after they had deliberated, they agreed to the conference.

THE houſe of commons began now to feel themſelves of ſuch importance, that on the motion of Sir Edwin Sandys, a member of great authority, they entered, for the firſt time, an order for the regular keeping of their journals [u]. When all buſineſs was finiſhed the king prorogued the parliament.

ABOUT this time there was an inſurrection of the country people in Northamptonſhire, headed by one Reynolds, a man of low condition.

[q] Journ. 2 December, 5 March, 1606. 25, 26 June, 1607. [r] Journ. 26 February, 4, 7 March, 1606. 2 May, 17 June, 1607. [s] Journ. 16, 17 June, 1607. [t] Journ. 25 Feb. 1606. [u] Journ. 3 July 1607.

They went about deſtroying encloſures; but carefully avoided committing any other outrage. This inſurrection was eaſily ſuppreſſed, and though great lenity was uſed towards the rioters, yet were ſome of the ringleaders puniſhed. The chief cauſe of that trivial commotion ſeems to have been, of itſelf far from trivial. The practice ſtill continued in England, of diffuſing tillage, and throwing the land into incloſures for the ſake of paſture. By this means the kingdom was depopulated, at leaſt, prevented from encreaſing ſo much in people as might have been expected from the daily increaſe of induſtry and commerce. 1607. 4th July.

NEXT year preſents us with nothing memorable: But in the ſpring of the ſubſequent, after a long negociation, was concluded, by a truce of twelve years, that war, which for near half a century had been carried on with ſuch fury between Spain and the States of the United Provinces. Never conteſt ſeemed, at firſt, more unequal: Never conteſt was finiſhed with more honour to the weaker party. On the ſide of Spain were numbers, riches, authority, diſcipline: On the ſide of the revolted provinces were found the attachment to liberty and the enthuſiaſm of religion. By her naval enterprizes the republic maintained her armies; and, joining peaceful induſtry to military valour, ſhe was enabled, by her own force, to ſupport herſelf, and gradually rely leſs on thoſe neighbouring princes, who, from jealouſy to Spain, were at firſt prompted to encourage her revolt. Long had the pride of that monarchy prevailed over her intereſt, and prevented her from hearkening to any terms of accommodation with her rebellious ſubjects. But finding all intercourſe cut off between her provinces by the maritime force of the ſtates, ſhe at laſt agreed to treat with them as a free people, and ſolemnly to renounce all claim and pretenſion to their ſovereignty. 1608. 1609. Truce between Spain and the United Provinces.

THIS chief point being gained, the treaty was eaſily brought to a concluſion, under the joint mediation and guarantee of France and England. All exterior appearances of honour were paid equally to both crowns: But very different were the ſentiments which the ſtates, as well as all Europe, entertained of the princes who wore them. Frugality and vigour, the chief circumſtances which procure regard among foreign nations, ſhone out as conſpicuouſly in Henry, as they were deficient in James. To a contempt of the Engliſh monarch, Henry ſeems to have added a conſiderable degree of jealouſy and averſion, which were ſentiments altogether without foundation. James was juſt and fair in all tranſactions with his allies [x] but it appears from the memoirs of thoſe March 30.

[x] The plan of accommodation which James recommended is found in Winwood, vol. ii. p. 429, 430; and is the ſame that was recommended by Henry, as we learn from

times, that each ſide deemed him partial towards their adverſary, and fancied that he had entered into ſecret meaſures againſt them [y]. So little equity have men in the judgments of their own affairs; and ſo dangerous is that entire neutrality affected by the king of England!

1610. Feb. 9. A parliament.

THE little concern which James took in foreign affairs, renders the domeſtic occurrences, particularly thoſe of parliament, the moſt intereſting of his reign. A new ſeſſion was held this ſpring; the king full of hopes of receiving ſupply; the commons, of circumſcribing his prerogative. The earl of Salisbury, now created treaſurer, on the death of the earl of Dorſet, laid open the king's neceſſities, firſt to the peers, then to a committee of the lower houſe [z]. He inſiſted on the unavoidable expence incurred, in ſupporting the navy, and in ſuppreſſing a late inſurrection in Ireland: He mentioned three numerous courts which the king was obliged to maintain, for himſelf, for the queen, and for the prince of Wales: He obſerved, that queen Elizabeth, though a ſingle woman, had received very large ſupplies in the years preceding her death, which alone were expenſive to her: And he remarked, that, during her reign ſhe had alienated many of the crown lands; an expedient which, though it ſupplied her preſent neceſſities, without laying burdens on her people, extremely multiplied the neceſſities of her ſucceſſor. From all theſe cauſes he thought it nowiſe ſtrange that the king's income ſhould fall ſhort ſo great a ſum as eighty-one thouſand pounds of his ſtated and regular expence; without mentioning contingencies, which ought always to be eſteemed a fourth of the yearly charges. And as the crown was now neceſſarily burdened with a great and urgent debt of 300,000 pounds, he thence inferred the abſolute neceſſity of an immediate and large ſupply from the people. To all theſe reaſons, which James likewiſe urged in a ſpeech addreſſed to both houſes, the commons remained inexorable. But, not to ſhock the king with an abſolute refuſal, they granted him one ſubſidy and one fifteenth; which would ſcarcely amount to a hundred thouſand pounds. And James received the mortification of diſcovering in vain, all his wants, and of begging aid of ſubjects who had no reaſonable indulgence or conſideration for him.

March 21.

AMONG the many cauſes of diſguſt and quarrel, which now daily and unavoidably multiplied between prince and parliament, this article of

Jeanin, tom. iii. p. 416, 417. It had long been imagined by hiſtorians from Jeanin's authority, that James had declared to the court of Spain, that he would not ſupport the Dutch in their pretenſions to liberty and independence. But it has ſince been diſcovered by Winwood's Memorials, vol. ii. p 456 466. 469. 475, 476. that that report was founded on a lie of preſident Richardot's.

[y] Winwood, and Jeanin, *paſſim*.

[z] Journ. 17. Feb. 1609. Kennet, p. 681.

money is to be regarded as none of the leaſt conſiderable. After the diſcovery and conqueſt of the Weſt-Indies, gold and ſilver became every day more plentiful in England, as well as in the reſt of Europe; and the price of all commodities and proviſions roſe to a height beyond what had been known ſince the declenſion of the Roman empire. As the revenue of the crown roſe not in proportion [a], the prince was inſenſibly reduced to poverty amidſt the general riches of his ſubjects, and required additional funds, in order to ſupport the ſame magnificence and force which had been maintained by former monarchs. But, while money thus flowed into England, we may obſerve, that at the ſame time, and probably from that very cauſe, arts and induſtry of all kinds received a mighty encreaſe; and elegance in every enjoyment of life became better known, and more cultivated among all ranks of people. The king's ſervants, both civil and military, his courtiers, his miniſters, demand more ample ſupplies from the impoveriſhed prince, and were not contented with the ſame ſimplicity of livnig, which had ſatisfied their anceſtors. The prince himſelf began to regard an encreaſe of pomp and ſplendor as requiſite to ſupport the dignity of his character, and to preſerve the ſame ſuperiority above his ſubjects, which his predeceſſors had enjoyed. Some equality too, and proportion to the other ſovereigns of Europe, it was natural for him to deſire; and as they had univerſally enlarged their revenue, and multiplied their taxes, the king of England deemed it reaſonable, that his ſubjects, who were generally as rich as theirs, ſhould bear with patience ſome additional burdens and impoſitions.

UNHAPPILY for the king, thoſe very riches, with the encreaſing knowledge of the age, bred oppoſite ſentiments in his ſubjects; and begetting a ſpirit of freedom and independence, diſpoſed them to pay little regard, either to the entreaties or menaces of their ſovereign. While the barons poſſeſſed their former immenſe property and extenſive juriſdictions, they were apt, at every diſguſt, to endanger the monarch, and throw the whole government into confuſion: But this confuſion often, in its turn, proved favourable to the monarch, and made the nation again ſubmit to him, in order to re-eſtabliſh juſtice and tranquillity. After the power of alienations, as well as the encreaſe of commerce, had thrown the balance of property into the hands of the commons, the ſituation of affairs, and the diſpoſitions of men became ſuſceptible of a more regular plan of liberty; and the laws were not ſupported ſingly by the authority of the ſovereign. And though in that interval, after the decline of the peers, and before the people had yet experienced their force, the princes aſſumed an exorbitant

[a] Beſides the great alienation of the crown lands, the fee-farm rents never encreaſed, and the other lands were let on long leaſes and at a great undervalue, little or nothing above the old rent.

power, and had almoſt annihilated the conſtitution under the weight of their prerogative; as ſoon as the commons recovered from their lethargy, they ſeem to have been aſtoniſhed at the danger, and were reſolved to ſecure liberty by firmer barriers, than their anceſtors had hitherto provided for it.

HAD James poſſeſſed a very rigid frugality, he might have warded off this criſis ſomewhat longer; and waiting patiently for a favourable opportunity to encreaſe and fix his revenue, might have ſecured the extenſive authority tranſmitted to him. On the other hand, had the commons been inclined to act with more generoſity and kindneſs towards their prince, they might probably have turned his neceſſities to good account, and have bribed him to depart peaceably from the more dangerous articles of his prerogative. But he was a foreigner, and ignorant of the arts of popularity; they were ſoured by religious prejudices, and tenacious of their money: And, in this ſituation, it is no wonder, that, during this whole reign, we ſcarcely find an interval of mutual confidence and friendſhip between prince and parliament.

THE king, by his prerogative alone, had, ſome years before, altered the rates of the cuſtoms, and had eſtabliſhed higher impoſitions on ſeveral kinds of merchandize. This exerciſe of power will naturally, to us, appear arbitrary and illegal; yet, according to the principles and practices of that time, it might admit of ſome apology. The duties of tonnage and poundage were at firſt granted to the crown, by a vote of parliament, and for a limited time; and as the grant frequently expired and was renewed, there could not then ariſe any doubt concerning the origin of the king's right to levy theſe duties; and this impoſition, like all others, was plainly derived from the voluntary conſent of the people. But as Henry V. and all the ſucceeding ſovereigns, had the revenue conferred on them for life, the prince, ſo long in poſſeſſion of theſe duties, began gradually to conſider them as his own proper right and inheritance, and regarded the vote of parliament as a mere formality, which rather expreſſed the acquieſcence of the people in his prerogative, than beſtowed any new gift of revenue upon him.

THE parliament, when it firſt granted poundage to the crown, had fixed no particular rates: The impoſition was given at a ſhilling in a pound, or five *per cent.* on all commodities: It was left to the king himſelf, and the privy council, aided by the advice of ſuch merchants as they ſhould think proper to conſult, to fix the value of goods, and thereby the rates of the cuſtoms: And as that value had been ſettled before the diſcovery of the Weſt-Indies, it was become much inferior to the prices, which almoſt all commodities bear in every market in Europe; and conſequently, the

cuſtoms on many goods though ſuppoſed to be five *per cent.* was in reality much inferior. The king, therefore, was naturally led to think, that rates, which were now plainly falſe, ought to be corrected [b]; that a valuation of commodities, fixed by one act of the privy council, might be amended by another; that if his right to poundage were inherent in the crown, he ſhould alſo poſſeſs, of himſelf, the right of correcting its inequalities; if this duty were granted by the people, he ſhould at leaſt ſupport the ſpirit of the law, by fixing a new and a juſter valuation of all commodities. But beſides this reaſoning, which ſeems plauſible, if not ſolid, the king was ſupported in that act of power by direct precedents, ſome in the reign of Mary, ſome in the beginning of Elizabeth [c]. Both theſe princeſſes had, without conſent of parliament, altered the rates of commodities; and as their impoſitions had, all along, been ſubmitted to without a murmur, and ſtill continued to be levied, the king had no reaſon to apprehend, that a farther exertion of the ſame authority would give any occaſion of complaint. That leſs umbrage might be taken, he was moderate in the new rates, which he eſtabliſhed: The cuſtoms, during his whole reign, roſe only from 127,000 pounds a-year to 190,000; though, beſides the encreaſe of the rates, there was a ſenſible encreaſe of commerce and induſtry during that period: Every commodity, beſides, which might ſerve to the ſubſiſtence of the people, or might be conſidered as a material of manufactures, was exempted from the new impoſitions of James [d]: But all this caution could not prevent the complaints of the commons. A ſpirit of liberty had now taken poſſeſſion of the houſe: The leading members, men of an independent genius and large views, began to regulate their opinions, more by the future conſequences which they foreſaw, than by the former precedents which were ſet before them; and they leſs aſpired at maintaining the ancient conſtitution, than at eſtabliſhing a new one, and a freer, and a better. In their remonſtrances to the king on this occaſion, they obſerved it to be a general opinion, *That the reaſons of that practice might be extended much farther, even to the utter ruin of the ancient liberty of the kingdom, and the ſubjects' right of property in their lands and goods* [e]. Though expreſsly forbidden by the king to touch his prerogative, they paſſed a bill aboliſhing theſe impoſitions; which was rejected by the houſe of lords.

IN another addreſs to the king, they objected to the practice of borrowing upon privy ſeals, and deſired that the ſubjects ſhould not be forced to lend money to his majeſty, or give a reaſon for the refuſal. Some murmurs likewiſe were thrown out in the houſe againſt a new monopoly of

[b] Winwood, vol. ii. p. 438. [c] Journ. 18th April, 5th and 10th May 1614. &c. 20th February, 1625. See alſo Sir John Davis's queſtion concerning impoſitions, p. 127, 128. [d] Sir John Davis's queſtion concerning impoſitions.
[e] Journ. 23 May, 1610.

the licence of wines [f]. It muſt be confeſſed, that forced loans and monopolies were eſtabliſhed on many and ancient as well as recent precedents; though diametrically oppoſite to all the principles of a free government [g].

The houſe likewiſe diſcovered ſome diſcontent againſt the king's proclamations. James told them, *That though he well knew, by the conſtitution and policy of the kingdom, that proclamations were not of equal force with laws; yet he thought it a duty incumbent on him, and a power inſeparably annexed to the crown, to reſtrain and prevent ſuch miſchiefs and inconveniencies as he ſaw growing on the ſtate, againſt which no certain law was extant, and which might tend to the great detriment of the ſubject, if there ſhould be no remedy provided till the meeting of a parliament. And this prerogative*, he adds, *our progenitors have, in all times, uſed and enjoyed* [h]. The intervals between ſeſſions, we may obſerve, were frequently ſo long, as to render it neceſſary for a prince to interpoſe by his prerogative. The legality of this exertion was eſtabliſhed by uniform and undiſputed practice; and was even acknowledged by lawyers, who made, however, this difference between laws and proclamations, that the authority of the former was perpetual, that of the latter expired with the ſovereign who emitted them [i]. But what the authority could be, which bound the ſubject, yet was different from the authority of laws, and inferior to it, ſeems inexplicable by any maxims of reaſon or politics: And in this inſtance, as in many others, it is eaſy to ſee, how inaccurate the Engliſh conſtitution was, before the parliament was enabled, by continual acquiſitions or encroachments, to eſtabliſh it on fixt principles of liberty.

UPON the ſettlement of the reformation, that extenſive branch of power, which regards eccleſiaſtical matters, being then without an owner, ſeemed to belong to the firſt occupant; and Henry VIII. failed not immediately to ſeize it, and to exert it even to the utmoſt degree of tyranny. The poſſeſſion of it was continued with Edward; and recovered by Elizabeth; and that ambitious princeſs was ſo remarkably jealous of this flower of her crown, that ſhe ſeverely reprimanded the parliament, if they ever preſumed to intermeddle in theſe matters; and they were ſo over-awed by her authority, as to ſubmit, and to aſk pardon on theſe occaſions. But James's parliaments were much leſs obſequious. They ventured to lift up their eyes, and to conſider this prerogative. They there ſaw a large province of government, poſſeſſed by the king alone, and ſcarcely ever communicated with the parliament. They were ſenſible, that this province admitted not of any exact boundary or circumſcription. They had felt, that the Roman pontiff, in former ages, under pretence of religion, was gradually making advances to uſurp the whole civil power. They dreaded ſtill more danger-

[f] Parliament. Hiſt. vol. v. p. 241.
[g] See note [F] at the end of the volume.
[h] Parliament, Hiſt. vol. v. p. 250.
[i] Journ. 12 May, 1624.

ous conſequences from the claims of their own ſovereign, who reſided among them, and who in many other reſpects, poſſeſſed ſuch unlimited authority. They therefore deemed it abſolutely neceſſary to circumſcribe this branch of prerogative, and accordingly, in the preceding ſeſſion, they paſſed a bill againſt the eſtabliſhment of any eccleſiaſtical canons without conſent of parliament[k]. But the houſe of lords, as is uſual, defended the barriers of the throne, and rejected the bill.

IN this ſeſſion, the commons, after paſſing anew the ſame bill, made remonſtrances againſt the proceedings of the *high commiſſion court*[l]. It required no great penetration to ſee the extreme danger to liberty, ariſing in a regal government, from ſuch large diſcretionary powers as were exerciſed by that court. But James refuſed compliance with the application of the commons. He was probably ſenſible, that, beſides the diminution of his authority, many inconveniencies muſt neceſſarily reſult from the aboliſhing of all diſcretionary power in every magiſtrate; and that the laws, were they ever ſo carefully framed and digeſted, could not poſſibly provide againſt every contingency; much leſs, where they had not, as yet, attained a ſufficient degree of accuracy and refinement.

BUT the buſineſs, which chiefly occupied the commons, during this ſeſſion, was the abolition of wardſhips and purveyance; prerogatives, which had been more or leſs touched on, every ſeſſion, during the whole reign of James. In this affair, the commons employed the proper means, which might intitle them to ſucceſs: They offered the king a ſettled revenue as an equivalent for the powers which he ſhould part with; and the king was willing to hearken to terms. After much diſpute, he agreed to give up theſe prerogatives for 200,000 pounds a-year, which they agreed to confer upon him[m]. And nothing remained, towards cloſing the bargain,

[k] Journ. 2d, 11th December; 5th March, 1606.

[l] Parliament. Hiſt. vol v. p. 247. Kennet, p. 681.

[m] We learn from Winwood's Memorials, vol. ii. p. 193. the reaſon aſſigned for this particular ſum. "From hence my lord treaſurer came to the price; and here he ſaid, that the king would "no more riſe and fall like a merchant. That he would not have a flower of his "crown (meaning the court of wards) ſo much toſſed; that it was too dainty to be ſo "handled: And then he ſaid; that he muſt deliver the very countenance and character "of the king's mind out of his own hand-writing: Which, before he read, he ſaid "he would acquaint us with a pleaſant conceit of his majeſty. As concerning the "number of nineſcore thouſand pounds, which was our number, he could not affect, "becauſe nine was the number of the poets, who were always beggars, though they ſerved ſo many muſes; and eleven was the number, of the apoſtles, when the traitor, "Judas, was away; and therefore might beſt be effected by his majeſty: But there was "a mean number, which might accord us both; and *that was ten:* Which, ſays my lord "treaſurer, is a ſacred number; for ſo many were God's commandments, which tend to "virtue and edification." If the commons really voted 20,000 pounds a-year more, on account of this pleaſant conceit of the king and the treaſurer, it was certainly the beſt paid wit, for its goodneſs, that ever was in the world.

but that the commons ſhould determine the funds, by which this ſum ſhould be levied. This ſeſſion was too far advanced to bring ſo difficult a matter to a full concluſion; and though the parliament met again, towards the end of the year, and reſumed the queſtion, they were never able to terminate an affair, upon which they ſeemed ſo intent. The journals of that ſeſſion are loſt; and, as the hiſtorians of this reign are very negligent in relating parliamentary affairs, of whoſe importance they were not ſufficiently appriſed, we know not exactly the reaſon of this failure. It only appears, that the king was extremely diſſatisfied with the conduct of the parliament, and ſoon after diſſolved it. This was his firſt parliament and it ſat near ſeven years.

AMIDST all theſe attacks, ſome more, ſome leſs violent, on royal prerogative, the king diſplayed, as openly as ever, all his exalted notions of monarchy and the authority of princes. Even in a ſpeech to the parliament, where he begged for a ſupply, and where he ſhould naturally have uſed every art to ingratiate himſelf with that aſſembly, he expreſſed himſelf in theſe terms: "I conclude, then, the point, touching the power of kings, with "this axiom of divinity, that, as to diſpute *what God may do*, is blaſphemy, "but *what God wills*, that divines may lawfully and do ordinarily diſpute "and diſcuſs; ſo is it ſedition in ſubjects to diſpute what a king may do "in the height of his power. But juſt kings will ever be willing to declare what they will do, if they will not incur the curſe of God. I will "not be content, that my power be diſputed upon; but I ſhall ever be "willing to make the reaſon appear of my doings, and rule my actions according to *my* laws [n]." Notwithſtanding the great extent of prerogative in that age, theſe expreſſions would probably give ſome offence. But we may obſerve, that, as the king's deſpotiſm was more ſpeculative than practical, ſo the independency of the commons was, at this time, the reverſe; and though ſtrongly ſupported by their preſent ſituation, as well as diſpoſition, was too new and recent to be as yet founded on ſyſtematical principles and opinions [o].

1610. 3d May. Death of the French king.

THIS year was diſtinguiſhed by a memorable event, which gave great alarm and concern in England; the murder of the French monarch by the poinard of the fanatical Ravaillac. With his death the glory of the French monarchy ſuffered an eclipſe for ſome years; and as that kingdom fell under an adminiſtration weak and bigoted, factious and diſorderly, the Auſtrian greatneſs began anew to appear formidable to Europe. In England, the antipathy to the catholics revived a little upon this tragical event; and ſome of the laws, which had formerly been enacted, in order to keep theſe reli-

[n] K. James's Works, p. 531.

[o] See note [G] at the end of the volume.

gioniſts in awe, began now to be executed with greater rigour and ſeverity [p].

THOUGH James's timidity and indolence fixed him, during moſt of his reign, in a very prudent inattention to foreign affairs, there happened, this year, an event in Europe of ſuch mighty conſequence as to rouſe him from his lethargy, and ſummon up all his zeal and enterprize. A profeſſor of divinity, named Vorſtius, the diſciple of Arminius, was called from a German to a Dutch univerſity; and as he differed from his Britannic Majeſty in ſome nice queſtions concerning the intimate eſſence and ſecret decrees of God, he was conſidered as a dangerous rival in ſcholaſtic fame, and was, at laſt, obliged to yield to the legions of that royal doctor, whoſe ſyllogiſms he might have refuted or eluded. If vigour was wanting in other incidents in James's reign, here he behaved even with haughtineſs and inſolence; and the ſtates were obliged, after ſeveral remonſtrances, to deprive Vorſtius of his chair, and to baniſh him their dominions [l]. The king carried no farther his animoſity againſt that profeſſor; though he had very charitably hinted to the ſtates, *That, as to the burning of Vorſtius for his blaſphemies and atheiſm, he left them to their own Chriſtian wiſdom; but ſurely never heretic better deſerved the flames* [m]. It is to be remarked, that, at this period, all over Europe, except in Holland alone, the practice of burning heretics ſtill prevailed, even in proteſtant countries; and inſtances were not wanting in England, during the reign of James.

1611. Arminianiſm.

To conſider James in a more advantageous light, we muſt take a view of him as the legiſlator of Ireland; and moſt of the inſtitutions, which he had framed for civilizing that kingdom, being finiſhed about this period, it may not here be improper to give ſome account of them. He frequently boaſts of the management of Ireland as his maſter-piece; and it will appear upon inquiry, that his vanity, in this particular, was not altogether without foundation.

AFTER the ſubjection of Ireland by Elizabeth, the more difficult taſk ſtill remained; to civilize the inhabitants, to reconcile them to laws and induſtry, and to render their ſubjection durable, and uſeful to the crown of England. James proceeded in this work by a ſteady, regular, and well-concerted plan; and in the ſpace of nine years, according to Sir John Davis, he made greater advances towards the reformation of that kingdom, than had been made in the 440 years, which had elapſed ſince the conqueſt was firſt attempted [n].

State of Ireland.

IT was previouſly neceſſary to aboliſh the Iriſh cuſtoms, which ſupplied

[p] Kennet, p. 684. [l] Ibid. p. 715. [m] K. James's Works, p. 355.
[n] Ibid p. 259. edit. 1613.

the place of laws, and which were calculated to keep that people for ever in a ſtate of barbariſm and diſorder.

BY the *Brehon* law or cuſtom, every crime, however enormous, was puniſhed, not with death, but by a fine or pecuniary mulct, which was levied upon the criminal. Murder itſelf, as among all the ancient barbarous nations, was atoned for in this manner; and each man, according to his rank, had a different rate or value affixed to him, which, if anyone were willing to pay, he needed not fear aſſaſſinating his enemy. This rate was called his *eric*. When Sir William Fitzwilliams being lord deputy, told Maguire, that he was to ſend a ſheriff into Fermannah, which, a little before, had been made a county, and ſubjected to the Engliſh law; *Your ſheriff*, ſaid Maguire, *ſhall be welcome to me: But let me know, beforehand, his* eric, *or the price of his head, that, if my people cut off, I may levy the money upon the county* [o]. As for oppreſſion, extortion, and other treſpaſſes, ſo little were they regarded, that no penalty was affixed to them, and no redreſs for ſuch offences could ever be obtained.

THE cuſtoms of *Gavelkinde* and *Tainſtry* were attended with the ſame abſurdity in the diſtribution of property. The land, by the cuſtom of Gavelkinde, was divided among all the males of the ſept or family, both baſtard and legitimate: And, after partition made, if any of the ſept died, his portion was not ſhared out among his ſons; but the chieftain, at his diſcretion, made a new partition of all the lands, belonging to that ſept, and gave every one his ſhare [p]. As no man, by reaſon of this cuſtom, enjoyed the fixed property of any land; to build, to plant, to encloſe, to cultivate, to improve, would have been ſo much loſt labour.

THE chieftains and the Taniſts, though drawn from the principal families, were not hereditary, but were eſtabliſhed by election, or, more properly ſpeaking, by force and violence. Their authority was almoſt abſolute; and, notwithſtanding that certain lands were aſſigned to the office, its chief profit reſulted from exactions, dues, aſſeſſments, for which there was no fixed law, and which was levied at pleaſure [q]. Hence aroſe that common bye-word among the Iriſh, *That they dwelt weſtward of the law, which dwelt beyond the river of the Barrow:* Meaning the country, where the Engliſh inhabited, and which extended not beyond the compaſs of twenty miles, lying in the neighbourhood of Dublin [r].

AFTER aboliſhing theſe Iriſh cuſtoms, and ſubſtituting Engliſh law in their place; James having taken all the natives under his protection, and declared them free citizens, proceeded to govern them by a regular adminiſtration, military as well as civil.

[o] Sir John Davis, p. 166. [p] Ibid. p. 167. [q] Ibid. p. 173. [r] Ibid. p. 237.

A SMALL army was maintained, its diſcipline inſpected, and its pay tranſmitted from England, in order to keep the ſoldiers from preying upon the country, as had been uſual in former reigns. When Odoghartie raiſed an inſurrection, a reinforcement was ſent over, and the flames of that rebellion were immediately extinguiſhed.

ALL minds being firſt quieted by a general indemnity [s]; circuits were eſtabliſhed, juſtice adminiſtered, oppreſſion baniſhed, and crimes and diſorders of every kind ſeverely puniſhed [t]. As the Iriſh had been univerſally engaged in the rebellion againſt Elizabeth, a reſignation of all the rights, which had been formerly granted them to ſeparate juriſdictions, was rigorouſly exacted; and no authority, but that of the king and the law, was permitted throughout the kingdom [u].

A RESIGNATION of all private eſtates was even required; and when they were reſtored, the proprietors received them under ſuch conditions as might prevent, for the future, all tyranny and oppreſſion over the common people. The value of the dues, which the nobles uſually claimed from their vaſſals, was eſtimated at a fixed ſum, and all farther arbitrary exactions prohibited under ſevere penalties [x].

THE whole province of Ulſter having fallen to the crown by the attainder of rebels, a company was eſtabliſhed in London, for planting new colonies in that fertile country: The property was divided into moderate ſhares, the largeſt not exceeding 2000 acres: Tenants were brought over from England and Scotland: The Iriſh were removed from the hills and faſtneſſes, and ſettled in the open country: Huſbandry and the arts were taught them: A fixed habitation ſecured: Plunder and robbery puniſhed: And, by theſe means, Ulſter, from being the moſt wild and diſorderly province of all Ireland, ſoon became the beſt cultivated and moſt civiliz-ed [y].

SUCH were the arts, by which James introduced humanity and juſtice among the people, who had ever been buried in the moſt profound barbariſm. Noble cares! much ſuperior to the vain and criminal glory of conqueſts; but requiring ages of perſeverance and attention to perfect what had been ſo happily begun.

A LAUDABLE act of juſtice was, about this time, executed in England upon lord Sanquir, a Scottiſh nobleman, who had been guilty of the baſe aſſaſſination of Turner, a fencing-maſter. The Engliſh nation, who were generally diſſatisfied with the Scots, were enraged at this crime, equally mean and atrocious; but James appeaſed them, by preferring the ſeverity of law to the interceſſion of the friends and family of the criminal [z].

[s] Sir John Davis, p. 263. [t] Ibid. 264, 265, &c. [u] Ibid. 276. [x] Ibid. p. 278.
[y] Ibid. p. 280. [z] Kennet, p. 688.

CHAP. XLVII.

Death of Prince Henry——Marriage of the Princeſs Elizabeth with the Palatine——Riſe of Somerſet——His marriage——Overbury poiſoned——Fall of Somerſet——Riſe of Buckingham——Cautionary towns delivered——Affairs of Scotland.

1612. Nov. 6th. Death of Prince Henry.

THIS year the ſudden death of Henry, prince of Wales, diffuſed an univerſal grief throughout the nation. Though youth and royal birth, both of them ſtrong allurements, propoſſeſs men mightily in favour of the early age of princes; it is with peculiar fondneſs that hiſtorians mention Henry: And, in every reſpect, his merit ſeems to have been extraordinary. He had not reached his eighteenth year, and he already poſſeſſed more dignity in his behaviour, and commanded more reſpect, than his father, with all his age, learning and experience. Neither his high fortune, nor his youth, had ſeduced him into any irregular pleaſures: Buſineſs and ambition ſeem to have been his ſole paſſion. His inclinations, as well as exerciſes, were martial. The French ambaſſador, taking leave of him, and aſking his commands for France, found him employed in the exerciſe of the pike; *Tell your king*, ſaid he, *in what occupation you left me engaged* [a]. He had conceived great affection and eſteem for the brave Sir Walter Raleigh. It was his ſaying, *Sure no king but my father would keep ſuch a bird in a cage* [b]. He ſeems indeed to have nouriſhed too violent a contempt for the king on account of his pedantry and puſillanimity; and by that means ſtruck in with the reſtleſs and martial ſpirit of the Engliſh nation. Had he lived, he had probably promoted the glory, perhaps not the felicity of his people. The unhappy prepoſſeſſion, which men commonly entertain in favour of ambition, courage, enterprize, and other warlike virtues, engages generous natures, who always love fame, into ſuch purſuits as deſtroy their own peace, and that of the reſt of mankind.

VIOLENT reports were propagated, as if Henry had been carried off by poiſon; but the phyſicians, on opening his body, found no ſymptoms to confirm ſuch an opinion [c]. The bold and criminal malignity of men's

[a] The French monarch had given particular orders to his miniſters to cultivate the prince's friendſhip; who muſt ſoon, ſaid he, have chief authority in England, where the king and queen are held in ſo little eſtimation. See *Dep. de la Lederie*, vol. i. p. 402, 415. vol. ii. p. 16. 349. [b] Coke's deteſtion, p. 37. [c] Kennet, p. 690. Coke, p. 57. Welwood, p. 272.

tongues and pens ſpared not even the king on the occaſion. But that prince's character ſeems rather to have failed in the extreme of facility and humanity, than in that of cruelty and violence. His indulgence to Henry was great, and perhaps imprudent, by giving him a large and independent ſettlement, even in ſo early youth.

1613. Feb. 14th. Marriage of the Princeſs Elizabeth with the Palatine.

THE marriage of the princeſs Elizabeth, with Frederic, Elector Palatine, was finiſhed ſome time after the death of the prince, and ſerved to diſſipate the grief, which aroſe on that melancholy event. But this marriage, though celebrated with great joy and feſtivity, proved, itſelf, an unhappy event to the king, as well as to his ſon-in-law, and had ill conſequences on the reputation and fortunes of both. The Elector, truſting to ſo great an alliance, engaged in enterprizes beyond his ſtrength: And the king, not being able to ſupport him in his diſtreſs, loſt entirely, in the end of his life, what remained of the affections and eſteem of his own ſubjects.

Riſe of Somerſet.

EXCEPT during ſeſſions of Parliament, the hiſtory of this reign may more properly be called the hiſtory of the court than that of the nation. An intereſting object had, for ſome years, engaged the attention of the court: It was a favourite, and one beloved by James with ſo profuſe and unlimited an affection, as left no room for any rival or competitor. About the end of the year 1609, Robert Carre, a youth of twenty years of age, and of a good family in Scotland, arrived in London, after having paſſed ſome time in his travels. All his natural accompliſhments conſiſted in good looks: All his acquired abilities, in an eaſy air and graceful demeanour. He had letters of recommendation to his countryman lord Hay; and that nobleman no ſooner caſt his eye upon him, than he diſcovered talents ſufficient to entitle him immediately to make a great figure in the government. Apprized of the king's paſſion for youth and beauty, and exterior appearance, he ſtudied how matters might be ſo managed that this new object ſhould make the ſtrongeſt impreſſion upon him. Without mentioning him at court, he aſſigned him the office, at a match of tilting, of preſenting to the king his buckler and device; and hoped that he would attract the attention of the monarch. Fortune proved favourable to his deſign, by an incident, which bore at firſt a contrary aſpect. When Carre was advancing to execute his office, his unruly horſe flung him, and broke his leg in the king's preſence. James approached him with pity and concern: Love and affection aroſe on the ſight of his beauty and tender years: and the prince ordered him immediately to be lodged in the palace, and to be carefully attended. He himſelf, after the tilting, paid him a viſit in his chamber, and frequently returned during his confinement. The ignorance and ſimplicity of the boy

finiſhed the conqueſt, begun by his exterior graces und accompliſhments. Other princes have been fond of chuſing their favourites from among the lower ranks of their ſubjects, and have repoſed themſelves on them with the more unreſerved confidence and affection, becauſe the object has been beholden to their bounty for every honour and acquiſition: James was deſirous that his favourite ſhould alſo derive from him all his ſenſe, experience, and knowledge. Highly conceited of his own wiſdom, he pleaſed himſelf with the fancy, that this raw youth, by his leſſons and inſtructions, would, in a little time, be equal to his ſageſt miniſters, and be initiated into all the profound myſteries of government, on which he ſet ſo high a value. And as this kind of creation was more perfectly his own work than any other, he ſeems to have indulged an unlimited fondneſs for his minion, beyond even that which he bore to his own children. He ſoon knighted him, created him viſcount Rocheſter, gave him the garter, brought him into the privy-council, and though, at firſt, without aſſigning him any particular office, beſtowed on him the ſupreme direction of all his buſineſs and political concerns. Agreeable to this rapid advancement in confidence and honour, were the riches heaped upon the needy favourite; and while Saliſbury and all the wiſeſt miniſters could ſcarcely find expedients ſufficient to keep in motion the overburthened machine of government, James, with unſparing hand, loaded with treaſures this inſignificant and uſeleſs pageant [d].

IT is ſaid, that the king found his pupil ſo ill educated, as to be ignorant even of the loweſt rudiments of the Latin tongue; and that the monarch, laying aſide the ſceptre, took the birch into his royal hand, and inſtructed him in the principles of grammar. During the intervals of this noble occupation, affairs of ſtate would be introduced; and the ſtripling, by the aſcendant which he had acquired, was now enabled to repay in political, what he had received in grammatical, inſtruction. Such ſcenes, and ſuch incidents, are the more ridiculous, though the leſs odious, as the paſſion of James ſeems not to have contained in it any thing criminal or flagitious. Hiſtory charges herſelf willingly with a relation of the great crimes, and ſtill more with that of the great virtues of mankind; but ſhe appears to fall from her dignity, when neceſſitated to dwell on ſuch frivolous events and ignoble perſonages.

THE favourite was not, at firſt, ſo intoxicated with advancement, as not to be ſenſible of his own ignorance and inexperience. He had recourſe to the aſſiſtance and advice of a friend; and he was more fortunate in his choice, than is uſual with ſuch pampered minions. In Sir Thomas Overbury he met with a judicious and ſincere counſellor, who, building all hopes of his own preferment on that of the young favourite, endeavoured

[d] Kennet, p. 685, 686, &c.

to inſtil into him the principles of prudence and diſcretion. By zealouſly ſerving every body, Carre was taught to abate the envy which might attend his ſudden elevation: By ſhewing a preference for the Engliſh, he learned to eſcape the prejudices which prevailed againſt his country. And ſo long as he was content to be ruled by Overbury's friendly counſels, he enjoyed, what is rare, the higheſt favour of the prince, without being hated by the people.

To complete the meaſure of courtly happineſs, nought was wanting but a kind miſtreſs; and, where high fortune concurred with all the graces of youth and beauty, this circumſtance could not be difficult to attain. But it was here that the favourite met with that rock on which all his fortunes were wrecked, and which plunged him for ever into an abyſs of infamy, guilt, and miſery.

No ſooner had James mounted the throne of England, than he remembered his friendſhip for the unfortunate families of Howard and Devereux, who had ſuffered for their attachment to the cauſe of Mary and to his own. Having reſtored young Eſſex to his blood and dignity, and conferred the titles of Suffolk and Northampton on two brothers of the houſe of Norfolk, he ſought the farther pleaſure of uniting theſe families by the marriage of the earl of Eſſex with lady Frances Howard, daughter of the earl of Suffolk. She was only thirteen, he fourteen years of age; and it was thought proper, till both ſhould attain the age of puberty, that he ſhould go abroad, and paſs ſome time in his travels [e]. He returned into England after four years abſence, and was pleaſed to find his counteſs in the full luſtre of beauty, and poſſeſſed of the love and admiration of the whole court. But, when the earl approached, and claimed the privileges and of a huſband, he met with nothing but ſymptoms of averſion and diſguſt, a flat refuſal of any farther familiarities. He applied to her parents, who conſtrained her to attend him into the country, and to partake of his bed: But nothing could overcome her rigid ſullenneſs and obſtinacy; and ſhe ſtill roſe from his ſide, without having ſhared the nuptial pleaſures. Diſguſted with reiterated denials, he at laſt gave over the purſuit, and ſeparating himſelf from her, thenceforth abandoned her conduct to her own will and diſcretion.

SUCH coldneſs and averſion in Lady Eſſex aroſe not without an attachment to another object. The favourite had opened his addreſſes, and had been too ſucceſsful in making impreſſion on the tender heart of the young counteſs [f]. She imagined, that ſo long as ſhe refuſed the embraces of Eſſex, ſhe never could be deemed his wife, and that a ſeparation and divorce might ſtill open the way for a new marriage with her beloved Ro-

[e] Kennet, p. 686. [f] Idem, p. 687.

chester [g]. Though their passion was so violent, and their opportunities of intercourse so frequent, that they had already indulged themselves in all the gratifications of love, they still lamented their unhappy fate, while the union between them was not entire and indissoluble. And the lover as well as his mistress, was impatient, till their mutual ardour should be crowned by marriage.

So momentous an affair could not be concluded without consulting Overbury, with whom Rochester was accustomed to share all his secrets. While that faithful friend had considered his patron's attachment to the countess of Essex merely as an affair of gallantry, he had favoured its progress; and it was partly owing to the ingenious and passionate letters which he dictated, that Rochester had met with such success in his addresses. Like an experienced courtier, he thought that a conquest of this nature would throw a lustre on the young favourite, and would tend still farther to endear him to James, who was charmed to hear of the amours of his court, and listened with attention to every tale of gallantry. But great was Overbury's alarm, when Rochester mentioned his design of marrying the countess; and he used every method to dissuade his friend from so foolish an attempt. He represented how invidious, how difficult an enterprize to procure her a divorce from her husband: How dangerous, how shameful, to take into his own bed a profligate woman, who, being married to a young nobleman of the first rank, had not scrupled to prostitute her character, and to bestow favours on the object of a capricious and momentary passion. And, in the zeal of friendship, he went so far as to threaten Rochester, that he would separate himself for ever from him, if he could so far forget his honour and his interest as to prosecute the intended marriage [h].

ROCHESTER had the weakness to reveal this conversation to the Countess of Essex; and when her rage and fury broke out against Overbury, he had also the weakness to enter into her vindictive projects, and to swear vengeance against his friend, for the utmost instance, which he could receive, of his faithful friendship. Some contrivance was necessary for the execution of their purpose. Rochester addressed himself to the king; and, after complaining, that his own indulgence to Overbury had begotten in him a degree of arrogance, which was extremely disagreeable, he procured a commission for his embassy to Russia; which he represented as a retreat for his friend, both profitable and honourable. When consulted by Overbury, he earnestly dissuaded him from accepting this offer, and took on himself the office of satisfying the king, if he should be any-wise displeased with the refusal [i]. To the king again, he aggravated the inso-

[g] State Trials, vol. i. p. 228. [h] Ibid. vol i. p. 235, 236. 256. Franklyn, p. 14. [i] State Trials, vol. i. p. 236, 237, &c.

lence of Overbury's conduct, and obtained a warrant for committing him to the Tower, which James intended as a slight punishment for his disobedience. The lieutenant of the Tower was a creature of Rochester's, and had lately been put into the office for this very purpose: He confined Overbury so strictly, that the unhappy prisoner was debarred the sight even of his nearest relations; and no communication of any kind was allowed with him during near six months which he lived in prison. 1613. April 21st.

THIS obstacle being removed, the lovers pursued their purpose; and the king himself, forgetting the dignity of his character, and his friendship for the family of Essex, entered zealously into the project of procuring the Countess a divorce from her husband. Essex also embraced the opportunity of separating himself from a bad woman, by whom he was hated; and he was willing to favour their success by any honourable expedient. The pretence for a divorce was his incapacity to fulfil the conjugal duties; and he confessed, that, with regard to the Countess, he was conscious of such an infirmity, though he was not sensible of it with regard to any other woman. In her place too, it is said, a young virgin was substituted under a mask, to undergo the legal inspection by a jury of matrons. After such a trial, seconded by court-influence, and supported by the ridiculous opinion of fascination or witchcraft, the sentence of divorce was pronounced between the Earl of Essex and his Countess [k]. And, to crown the scene, the king, solicitous lest the lady should lose any rank by her new marriage, bestowed on his minion the title of Earl of Somerset.

NOTWITHSTANDING this success, the Countess of Somerset was not satisfied, till she should farther satiate her revenge on Overbury; and she engaged her husband, as well as her uncle, the earl of Northampton, in the atrocious design of taking him off secretly by poison. Fruitless attempts were reiterated by weak poisons; but, at last, they gave him one so sudden and violent, that the symptoms were apparent to every one who approached him [l]. His interment was hurried on with the greatest precipitation; and though a strong suspicion immediately prevailed in the public, the full proof of the crime was not brought to light till some years after. 1613. Overbury poisoned. 16th Sept.

THE fatal catastrophe of Overbury encreased or begot a suspicion, that the prince of Wales had been carried off by poison, given him by Somerset. Men considered not, that the contrary inference was much juster. If Somerset was so great a novice in this detestable art, that, during the course of five months, a man, who was his prisoner, and attended by none

[k] State Trials, vol. i. p. 223, 224, &c. Franklyn's Annals, p 2, 3, &c.
[l] Kennet p. 693. State trials vol. i. p. 233, 234, &c.

but his emiſſaries, could not be diſpatched but in ſo bungling a manner: how could it be imagined that a young prince, living in his own court, ſurrounded by his own friends and domeſtics, could be expoſed to Somerſet's attempts, and be taken off by ſo ſubtle poiſon, if ſuch a one exiſt, as could elude the ſkill of the moſt experienced phyſicians?

The ableſt miniſter that James ever poſſeſſed, the Earl of Saliſbury, was dead [m]: Suffolk, a man of ſlender capacity, had ſucceeded him in his office: And it was now his taſk to ſupply, from an exhauſted treaſury, the profuſion of James and of his young favourite. The title of Baronet invented by Saliſbury, was ſold: and two hundred patents of that ſpecies of knighthood, were diſpoſed of for ſo many thouſand pounds: Each rank of nobility had alſo its price affixed to it [n]: Privy ſeals were circulated to the amount of 200,000 pounds: Benevolences were exacted to the amount of 52,000 pounds [o]: And ſome monopolies of no great value were erected. But all theſe expedients proved inſufficient to ſupply the king's neceſſities; even though he began to enter into ſome ſchemes for retrenching his expences [p]. However ſmall the hopes of ſucceſs, a new parliament muſt be ſummoned, and this dangerous expedient, for ſuch it was now become, once more be put to trial.

1614. 5th April. A parliament.

WHEN the commons were aſſembled, they diſcovered an extraordinary alarm, on account of the rumours which was ſpread abroad concerning *undertakers* [q]. It was reported, that ſeveral perſons, attached to the king, had entered into a confederacy; and having laid a regular plan for the new elections, had diſtributed their intereſt all over England, and had undertaken to ſecure a majority for the court. So ignorant were the commons, that they knew not this incident to be the firſt infallible ſymptom of any regular or eſtabliſhed liberty. Had they been contented to follow the maxims of their predeceſſors, who, as the earl of Saliſbury ſaid to the laſt parliament, never, but thrice in ſix hundred years, refuſed a ſupply [r]; they needed not dread that the crown ſhould ever intereſt itſelf in their elections. Formerly, the kings even inſiſted, that none of their houſehold ſhould be elected members; and, though the charter was afterwards declared void, Henry VI. from his great favour to the city of York, conferred a peculiar privilege on its

[m] 14th of May, 1612. [n] Franklyn, p. 11. 33. [o] Idem, p. 10.
[p] Idem, p. 49 [q] Parliam. Hiſt. vol. v. p. 286. Kennet, p. 696. Journ. 12. April, 2d May, 1614, &c. Franklyn, p. 48.
[r] Journ, 17 Feb. 1609. It appears, however, that Salisbury was ſomewhat miſtaken in this fact: And if the kings were not oftener refuſed ſupply by the parliament, it was only becauſe they would not often expoſe themſelves to the hazard of being refuſed: But it is certain that Engliſh parliaments did anciently carry their frugality to an extreme, and ſeldom could be prevailed upon to give the neceſſary ſupport to government.

citizens, that they ſhould be exempted from this trouble [s]. It is well known, that in ancient times, a ſeat in the houſe being conſidered as a burthen, attended neither with honour nor profit, it was requiſite for the counties and boroughs to pay fees to the repreſentatives. About this time a ſeat began to be regarded as an honour, and the country-gentlemen contended for it; though the practice of levying wages for the parliament-men was not altogether diſcontinued. It was not till long after, when liberty was thoroughly eſtabliſhed, and popular aſſemblies entered into every branch of public buſineſs, that the members began to join profit to honour, and the crown found it neceſſary to diſtribute among them all the conſiderable offices of the kingdom.

So little ſkill or ſo ſmall means had the courtiers, in James's reign, for managing elections, that this houſe of commons ſhowed rather a ſtronger ſpirit of liberty than the foregoing; and inſtead of entering upon the buſineſs of ſupply, as urged by the king, who made them ſeveral liberal offers of grace [t], they immediately reſumed the ſubject, which had been opened laſt parliament, and diſputed his majeſty's power of levying new cuſtoms and impoſitions, by the mere authority of his prerogative. It is remarkable, that, in their debates on this ſubject, the courtiers frequently pleaded, as a precedent, the example of all the other hereditary monarchs in Europe, and particularly mentioned the kings of France and Spain; nor was this reaſoning received by the houſe, either with ſurprize or indignation [u]. The members of the oppoſite party, either contented themſelves with denying the juſtneſs of the inference; or they diſputed the truth of the obſervation [x]. And a patriot member in particular, Sir Roger Owen, even in arguing againſt the impoſitions, frankly allowed, that the king of England was endowed with as ample a power and prerogative as any prince in Chriſtendom [y]. The nations on the continent, we may obſerve, enjoyed ſtill, in that age, ſome ſmall remains of liberty: and the Engliſh were poſſeſſed of little more.

THE commons applied to the lords for a conference with regard to the new impoſitions. A ſpeech of Neile, biſhop of Lincoln, reflecting on the lower houſe, begat ſome altercation with the peers [z]; and the king ſeized the opportunity of diſſolving immediately, with great indignation, a parliament, which had ſhown ſo firm a reſolution of retrenching his prerogative, without communicating, in return, the ſmalleſt ſupply to his neceſſities. He carried his reſentment ſo far as even to throw into priſon ſome of the members, who had been the moſt forward in their oppoſition to his meaſures [a]. In vain did

1614. 6th June.

[s] Coke's inſtitutes, part 4. chap. 1. of charters of exemption. [t] Journ. 12. April, 1614. [u] Journ. 21 May, 1614. [x] Journ. 12, 21 May, 1614. [y] Journ. 18 April, 1614. [z] See note [H] at the end of the volume. [a] Kennet p. 696.

he plead, in excuſe for this violence, the example of Elizabeth and the other princes of the line of Tudor, as well as Plantagenet. The people and the parliament, without abandoning for ever all their liberties and privileges, could acquieſce in none of theſe precedents, how ancient and frequent ſoever. And were the authority of ſuch precedents admitted, the utmoſt that could be inferred is, that the conſtitution of England was, at that time, an inconſiſtent fabric, whoſe jarring and diſcordant parts muſt ſoon deſtroy each other, and from the diſſolution of the old, beget ſome new form of civil government more uniform and conſiſtent.

IN the public and avowed conduct of the king and the houſe of commons, throughout this whole reign, there appears ſufficient cauſe of quarrel and mutual diſguſt; yet are we not to imagine, that this was the ſole foundation of that jealouſy which prevailed between them. During debates in the houſe, it often happened, that a particular member, more ardent and zealous than the reſt, would diſplay the higheſt ſentiments of liberty, which the commons contented themſelves to hear with ſilence and ſeeming approbation; and the king, informed of theſe harangues, concluded the whole houſe to be infected with the ſame principles, and to be engaged in a combination, againſt his prerogative. The king on the other hand, though he valued himſelf extremely on his king-craft, and perhaps was not altogether incapable of diſſimulation, ſeems to have been very little endowed with the gift of ſecrecy; but openly at his table, in all companies, inculcated the monarchical tenets which he had ſo ſtrongly imbibed. Before a numerous audience, he had expreſsed himſelf with great diſparagement of the common law of England, and had given the preference, in the ſtrongeſt terms, to the civil law: And for this indiſcretion he found himſelf obliged to apologize, in a ſpeech to the former parliament [b]. As a ſpecimen of his uſual liberty of talk, we may mention a ſtory, though it paſſed ſome time after, which we meet with in the life of Waller, and which that poet uſed frequently to repeat. When Waller was young, he had the curioſity to go to court; and he ſtood in the circle and ſaw James dine; where, among other company, there ſat at table, two biſhops, Neile and Andrews. The king propoſed aloud this queſtion, Whether he might not take his ſubjects' money, when he needed it, without all this formality of parliament? Neile replied, *God forbid you ſhould not: For you are the breath of our noſtrils.* Andrews declined anſwering, and ſaid, he was not ſkilled in parliamentary caſes: But upon the king's urging him, and ſaying he would admit of no evaſion, the biſhop replied pleaſantly: *Why then I think your majeſty may lawfully take my brother Neile's money: For he offers it* [c].

[b] K. James's Works, p. 532. [c] Preface to Waller's Works.

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THE favourite had hitherto escaped the enquiry of justice; but he had not escaped that still voice which can make itself be heard amidst all the hurry and flattery of a court, and astonishes the criminal with a just representation of his secret enormities. Conscious of the murder of his friend, Somerset received small consolation from the enjoyments of love, or the utmost kindness and indulgence of his sovereign. The graces of his youth gradually disappeared, the gaiety of his manners was obscured, his politeness and obliging behaviour were changed into sullenness and silence. And the king, whose affections had been engaged by these superficial accomplishments, began to estrange himself from a man who no longer contributed to his amusement. 1619. Somerset's fall.

THE sagacious courtiers observed the first symptoms of this disgust: Somerset's enemies seized the opportunity, and offered a new minion to the king. George Villiers, a youth of one-and-twenty, younger brother of a good family, returned at this time from his travels, and was remarked for the advantages of a handsome person, genteel air, and fashionable apparel. At a comedy, he was purposely placed full in James's eye, and immediately engaged the attention and, in the same instant, the affections, of that monarch [d]. Ashamed of his sudden attachment, the king endeavoured, but in vain; to conceal the partiality which he felt for the handsome stranger; and he employed all his profound politics to fix him in his service, without seeming to desire it. He declared his resolution not to confer any office on him, unless entreated by the queen; and he pretended that it should only be in complaisance to her choice he would agree to admit him near his person. The queen was immediately applied to; but she, well knowing the extreme to which the king carried these attachments, refused, at first, to lend her countenance to this new passion. It was not till entreated by Abbot, archbishop of Canterbury, a decent prelate, and one much prejudiced against Somerset, that she would condescend to oblige her husband, by asking this favour of him [e]. And the king, thinking now that all appearances were fully saved, no longer constrained his affection, but immediately bestowed the office of cupbearer on young Villiers.

THE whole court was thrown into parties between the two minions; while some endeavoured to advance the rising fortunes of Villiers, others deemed it safer to adhere to the established credit of Somerset. The king himself, divided between inclination and decorum, encreased the doubt and ambiguity of the courtiers; and the stern jealousy of the old favourite, who refused every advance of friendship from his rival, begat perpetual quarrels between their partizans. But the discovery of Somerset's guilt

[d] Franklyn, p. 50. Kennet, vol. ii p. 698. [e] Coke, p. 46, 47. Rush. vol i. p. 456.

in the murder of Overbury, at laſt decided the controverſy, and expoſed him to the ruin and infamy which he ſo well merited.

AN apothecary's 'prentice, who had been employed in making up the poiſons, having retired to Fluſhing, began to talk very freely of the whole ſecret; and the affair at laſt came to the ears of Trumbal, the king's envoy in the Low Conntries. By his means, Sir Ralph Winwood, ſecretary of ſtate, was informed; and he immediately carried the intelligence to James. The king alarmed and aſtoniſhed to find ſuch enormous guilt in a man whom he had admitted into his boſom, ſent for Sir Edward Coke, chief juſtice, and earneſtly recommended to him the moſt rigorous and unbiaſſed ſcrutiny. This injunction was executed with great induſtry and ſeverity: The whole labyrinth of guilt was carefully unravelled: The leſſer criminals, Sir Jervis Elvis, lieutenant of the Tower, Franklin, Weſton, Mrs. Turner, were firſt tried and condemned: Somerſet and his counteſs were afterwards found guilty: Northampton's death a little before had ſaved him from a like fate.

IT may not be unworthy of remark, that Coke, in the trial of Mrs. Turner, told her that ſhe was guilty of the ſeven deadly ſins: She was a whore, a bawd, a ſorcerer, a witch, a papiſt, a felon, and a murderer [f]. And what may more ſurpriſe us, Bacon, then attorney-general, took care to obſerve, that poiſoning was a popiſh trick [g]. Such were the bigoted prejudices which prevailed: Poiſoning was not, of itſelf, ſufficiently odious, if it were not repreſented as a branch of popery. Stowe tells us, that when the king came to Newcaſtle, on his firſt entry into England, he gave liberty to all the priſoners, except thoſe who were confined for treaſon, murder, and *papiſtry*. When one conſiders theſe circumſtances, that furious bigotry of the catholics which broke out in the gunpowder conſpiracy, appears the leſs ſurpriſing.

ALL the accomplices in Overbury's murder received the puniſhment due to their crime: But the king beſtowed a pardon on the principals, Somerſet and the counteſs. It muſt be confeſſed, that James's fortitude had been highly laudable, had he perſiſted in his firſt intention of conſigning over to ſevere juſtice all the criminals: But let us ſtill beware of blaming him too harſhly, if, on the approach of the fatal hour, he ſcrupled to deliver into the hands of the executioner, perſons whom he had once favoured with his moſt tender affections. To ſoften the rigour of their fate, after ſome years impriſonment, he reſtored them to their liberty, and conferred on them a penſion with which they retired, and languiſhed out old age in infamy and obſcurity. Their guilty loves were turned into the moſt deadly hatred; and they paſſed many years together

[f] State Trials, vol. i. p. 230.

[g] Ibid, vol. i. p. 242.

in the ſame houſe, without any intercourſe or correſpondence with each other [h].

SEVERAL hiſtorians [i], in relating theſe events, have inſiſted much on the diſſimulation of James's behaviour, when he delivered Somerſet into the hands of the chief juſtice; on the inſolent menaces of that criminal; on his peremptory refuſal to ſtand a trial; and on the extreme anxiety of the king during the whole progreſs of this affair. Allowing all theſe circumſtances to be true, of which ſome are ſuſpicious, if not palpably falſe [k], the great remains of tenderneſs which James ſtill felt for Somerſet, may, perhaps be ſufficient to account for them. That favourite was high ſpirited, and reſolute rather to periſh than to live under the infamy to which he was expoſed. James was ſenſible, that the pardoning of ſo great a criminal, which was of itſelf invidious, would become ſtill more unpopular, if his obſtinate and ſtubborn behaviour on his trial ſhould augment the public hatred againſt him [l]. At leaſt, the unreſerved confidence in which the king had indulged his favourite for ſeveral years, might render Somerſet maſter of ſo many ſecrets, that it is impoſſible, without farther light, to aſſign the particular reaſon of that ſuperiority, which, it is ſaid, he appeared ſo much to aſſume.

1516. Riſe of Buckingham.

THE fall of Somerſet, and his baniſhment from court, opened the way for Villiers to mount up at once to the full height of favour, of honours, and of riches. Had James's paſſion been governed by common rules of prudence, the office of cup-bearer would have attached Villiers to his perſon, and might well have contented one of his age and family; nor would any one, who was not cynically auſtere, have much cenſured the ſingularity of the king's choice in his friends and favourites. But ſuch advancement was far inferior to the fortune which he intended for his minion. In the courſe of a few years, he created him Viſcount Villiers, Earl, marquis, and Duke of Buckingham, knight of the garter, maſter of the horſe, chief juſtice in Eyre, warden of the cinque ports, maſter of the king's Bench office, ſteward of Weſtminſter, conſtable of Windſor, and lord high admiral of England [m]. His mother obtained the title of counteſs of Buckingham: His brother was created Viſcount Purbeck; and a numerous train of needy relations were all puſhed up into credit and authority. And thus the fond prince, while he meant to play the tutor to his favourite, and to train him up in the rules of prudence and politics, took an infallible method, by loading him with premature and exorbitant honours, to render him for ever raſh, precipitate and inſolent.

[h] Kennet, p. 699. [i] Coke, Weldon, &c. [k] See Biog Brit. article Coke, p. 1384.
[l] Bacon, vol. iv. p. 617. [m] Franklyn, p. 30. Clarendon, 8vo edit. vol. i. p. 10.

1616. A YOUNG minion to gratify with pleaſure, a neceſſitous family to ſupply with riches, were enterprizes too great for the empty exchequer of James. In order to obtain a little money, the cautionary towns muſt be delivered up to the Dutch; a meaſure which has been ſeverely blamed by almoſt all hiſtorians; and I may venture to affirm, that it has been cenſured much beyond its real weight and importance.

WHEN queen Elizabeth advanced money for the ſupport of the infant republic, beſides the view of ſecuring herſelf againſt the power and ambition of Spain, ſhe ſtill reſerved the proſpect of reimburſement; and ſhe got conſigned into her hands the three important fortreſſes of Fluſhing, the Brille, and Rammekins, as pledges for the money due to her. Indulgent to the neceſſitous condition of the ſtates, ſhe agreed that the debt ſhould bear no intereſt; and ſhe ſtipulated, that if ever England ſhould make a ſeparate peace with Spain, ſhe ſhould pay the troops which garriſoned thoſe fortreſſes [n].

Cautionary towns delivered.

AFTER the truce was concluded between Spain and the United Provinces, the States made an agreement with the king, that the debt, which then amounted to 800,000 pounds, ſhould be diſcharged by yearly payments of 40,000 pounds; and as five years had elapſed, the debt was now reduced to 600,000 pounds; and in fifteen years more, if the truce were renewed it would be finally extinguiſhed [o]. But of this ſum, 26,000 pounds a-year were expended on the pay of the garriſons: The remainder alone accrued to the king: And the ſtates, weighing theſe circumſtances, thought, that they made James a very advantageous offer, when they expreſſed their willingneſs, on the ſurrender of the cautionary towns, to pay him immediately 250,000 pounds, and to incorporate the Engliſh garriſons in their army. It occurred alſo to the king, that even the payment of the 40,000 pounds a-year was precarious, and depended on the accident that the truce ſhould be renewed between Spain and the Republic; If war broke out, the maintenance of the garriſons lay upon England alone; a burden very uſeleſs and too heavy for the ſlender revenues of that kingdom: That even during the truce, the Dutch, ſtraitened by other expences, were far from being regular in their payments; and the garriſons were at preſent in danger of mutinying for want of ſubſiſtence: That the annual ſum of 14,000 pounds, the whole ſaving on the Dutch payments, ; amounted, in fifteen years, to no more than 210,000 pounds; whereas 250,000 pounds were offered immediately, a larger ſum, and if money be computed at ten per cent. the current intereſt, more than double the ſum to which England was entitled [p]: That if James

[n] Rymer, vol. xvi. p. 341. Winwood, vol. ii p. 351. [o] Sir Dudley Carleton's Letters, p. 27, 28. [p] An annuity of 14,000 pounds during fifteen years, money being at 10 per cent. is worth on computation only 106,500 pounds whereas the king received 250,000: Yet the bargain was good for the Dutch, as well as the king; becauſe they were both of them freed from the maintenance of uſeleſs garriſons.

waited till the whole debt were discharged, the troops, which composed the garrisons, remained a burthen upon him, and could not be broken, without receiving some consideration for their past services: That the cautionary towns were only a temporary restraint upon the Hollanders; and in the present emergence, the conjunction of interest between England and the republic was so intimate as to render all other ties superfluous; and no reasonable measures for mutual support would be wanting from the Dutch, even though freed from the dependence of these garrisons: That the exchequer of the republic was at present very low, insomuch that they found difficulty, now that the aids of France were withdrawn, to maintain themselves in that posture of defence, which was requisite during the truce with Spain: And that the Spaniards were perpetually insisting with the king on the restitution of these towns, as belonging to their crown; and no cordial alliance could ever be made with that nation, while they remained in the hands of the English [q]. These reasons, together with his urgent wants, induced the king to accept of Caron's offer; and he evacuated the cautionary towns, which held the states in a degree of subjection, and which an ambitious and enterprizing prince would have regarded as his most valuable possessions. This is the date of the full liberty of the Duch commonwealth. 1616. 6th June.

WHEN the crown of England devolved on James, it might have been foreseen by the Scottish nation, that the independence of their kingdom, the object for which their ancestors had shed so much blood, would now be lost; and that, if both states persevered in maintaining separate laws and parliaments, the weaker would more sensibly feel the subjection, than if it had been totally subdued by force of arms. But these views did not generally occur. The glory of having given a sovereign to their powerful enemy, the advantages of present peace and tranquillity, the riches acquired from the munificence of their master; these considerations secured their dutiful obedience to a prince, who daily gave such sensible proofs of his friendship and partiality towards them. Never had the authority of any king, who resided among them, been so firmly established as was that of James, even when absent; and as the administration had been hitherto conducted with great order and tranquillity, there had happened no occurrence to draw thither our attention. But this summer, the king was resolved to pay a visit to his native country, in order to renew his ancient friendships and connections, and to introduce that change of ecclesiastical discipline and government, on which he was extremely intent. The three chief points of this kind, which James proposed to accomplish by his journey to Scotland, were the enlarging of episcopal authority, the establishing of a few cere- 1617. Affairs of Scotland.

[q] Rushworth, vol. . p. 3.

monies in public worſhip, and the fixing of a ſuperiority in the civil above the eccleſiaſtical juriſdiction.

BUT it is an obſervation, ſuggeſted by all hiſtory, and by none more than by that of James and his ſucceſſor, that the religious ſpirit, when it mingles with faction, contains in it ſomething ſupernatural and unaccountable; and that, in its operations upon ſociety, effects correſpond leſs to their known cauſes than is found in any other circumſtance of government. A reflection, which may, at once afford a ſource of blame againſt ſuch ſovereigns as lightly innovate in ſo dangerous an article, and of apology for ſuch as being engaged in an enterprize of that nature, are diſappointed of the expected event, and fail in their undertakings.

WHEN the Scottiſh nation was firſt ſeized with that zeal for reformation, which, though it cauſed ſuch diſturbance during the time, has proved ſo ſalutary in the conſequences; the preachers, aſſuming a character little inferior to the prophetic or apoſtolical, diſdained all ſubjection to the ſpiritual rulers of the church, by whom their innovations were puniſhed and oppoſed. The revenues of the dignified clergy, no longer conſidered as ſacred, were either appropriated by the preſent poſſeſſors, or ſeized by the more powerful barons; and what remained, after mighty dilapidations, was, by act of parliament, annexed to the crown. The prelates however, and abbots, maintained their temporal juriſdictions and their ſeats in parliament; and though laymen were ſometimes endowed with eccleſiaſtical titles, the church notwithſtanding its frequent proteſtations to the contrary, was ſtill ſuppoſed to be repreſented by thoſe ſpiritual lords, in the ſtates of the kingdom. After many ſtruggles, the king, even before his acceſſion to the throne of England, had acquired ſufficient influence over the Scottiſh clergy, to extort from them an acknowledgment of the parliamentary juriſdiction of biſhops; though attended with many precautions, in order to ſecure themſelves againſt the ſpiritual encroachments of that order [o]. When king of England, he engaged them, though ſtill with great reluctance on their part, to advance a ſtep farther, and to receive the biſhops as perpetual preſidents or moderators in their eccleſiaſtical ſynods; reiterating their proteſtations againſt all ſpiritual jurisdiction of the prelates, and all controuling power over the preſbyters [p]. And by ſuch gradual innovations, the king flattered himſelf, that he ſhould quietly introduce epiſcopal authority: But as his final ſcope was fully ſeen from the beginning, every new advance gave freſh occaſion of diſcontent, and aggravated, inſtead of ſoftening the abhorrence entertained againſt the prelacy.

WHAT rendered the king's aim more apparent, were the endeavours, which, at the ſame time, he uſed to introduce into Scotland ſome of the

o 1598. p 1606.

ceremonies of the church of England: The reſt, it was eaſily foreſeen, would ſoon follow. The fire of devotion, excited by novelty, and inflamed by oppoſition, had ſo poſſeſſed the minds of the Scottiſh reformers, that all rites and ornaments, and even order of worſhip, were diſdainfully rejected as uſeleſs burthens; retarding the imagination in its rapturous ecſtaſies, and cramping the operations of that divine ſpirit, by which they ſuppoſed themſelves to be animated. A mode of worſhip was eſtabliſhed, the moſt naked and moſt ſimple imaginable; one that borrowed nothing from the ſenſes; but repoſed itſelf entirely on the contemplation of that divine Eſſence, which diſcovers itſelf to the underſtanding only. This ſpecies of devotion, ſo worthy of the ſupreme Being, but ſo little ſuitable to human frailty, was obſerved to occaſion great diſturbances in the breaſt, and in many reſpects to confound all rational principles of conduct and behaviour. The mind, ſtraining for theſe extraordinary raptures, reaching them by ſhort glances, ſinking again under its own weakneſs, rejecting all exterior aid of pomp and ceremony, was ſo occupied in this inward life, that it fled from every intercourſe of ſociety, and from every cheerful amuſement, which could ſoften or humanize the character. It was obvious to all diſcerning eyes, and had not eſcaped the king's, that, by the prevalence of fanaticiſm, a gloomy and ſullen diſpoſition eſtabliſhed itſelf among the people; a ſpirit, obſtinate and dangerous; independent and diſorderly; animated equally with a contempt of authority, and a hatred to every other mode of religion, particularly to the catholic. In order to mellow theſe humours, James endeavoured to infuſe a ſmall tincture of ceremony into the national worſhip, and to introduce ſuch rites as might, in ſome degree, occupy the mind, and pleaſe the ſenſes, without departing too far from that ſimplicity, by which the reformation was diſtinguiſhed. The finer arts too, though ſtill rude in theſe northern kingdoms, were employed to adorn the churches; and the king's chapel, in which an organ was erected, and ſome pictures and ſtatues diſplayed, was propoſed as a model to the reſt of the nation. But muſic was grating to the prejudiced ears of the Scottiſh clergy; ſculpture and painting appeared inſtruments of idolatry; the ſurplice was a rag of popery; and every motion or geſture, preſcribed by the liturgy, was a ſtep towards that ſpiritual Babylon, ſo much the object of their horror and averſion. Every thing was deemed impious, but their own myſtical comments on the Scriptures, which they idolized, and whoſe eaſtern prophetic ſtyle they employed in every common occurrence.

IT will not be neceſſary to give a particular account of the ceremonies which the king was ſo intent to eſtabliſh. Such inſtitutions, for a time, are eſteemed either too divine to have proceeded from any other being than the ſupreme Creator of the univerſe, or too diabolical to have been derived from any but an infernal demon. But no ſooner is the mode of the controverſy paſt, than they are univerſally diſcovered to be of ſo little

importance, as ſcarcely to be mentioned with decency amidſt the ordinary courſe of human tranſactions. It ſuffices here to remark, that the rites introduced by James regarded the kneeling at the ſacrament, private communion, private baptiſm, confirmation of children, and the obſervance of Chriſtmas and other feſtivals [q]. The acts, eſtabliſhing theſe ceremonies, were afterwards known by the name of the articles of Perth, from the place where they were ratified by the aſſembly.

A CONFORMITY of diſcipline and worſhip between the churches of England and Scotland, which was James's aim, he never could hope to eſtabliſh, but by firſt procuring an acknowledgment to his own authority in all ſpiritual cauſes; and nothing could be more contrary to the practice as well as principles of the preſbyterian clergy. The eccleſiaſtical courts poſſeſſed the power of pronouncing excommunication: and that ſentence, beſides the ſpiritual conſequences ſuppoſed to follow from it, was attended with immediate effects of the moſt important nature. The perſon excommunicated was ſhunned by every one as profane and impious; and his whole eſtate, during his life-time, and all his moveables, for ever, were forfeited to the crown. Nor were the previous ſteps, requiſite before pronouncing this ſentence, formal or regular, in proportion to the weight of it. Without accuſer, without ſummons, without trial, any eccleſiaſtical court, however inferior, ſometimes pretended, in a ſummary manner, to denounce excommunication, for any cauſe, and againſt any perſon, even though he lived not within the bounds of their juriſdiction [r]. And, by this means, the whole tyranny of the inquiſition, though without its order, was introduced into the kingdom.

BUT the clergy was not content with the unlimited juriſdiction, which they exerciſed in eccleſiaſtical matters: They aſſumed a cenſorial power over every part of adminiſtration; and, in all their ſermons, and even prayers, mingling politics with religion, they inculcated the moſt ſeditious and muſt turbulent principles. Black, miniſter of St. Andrews, went ſo far [s], in a ſermon, as to pronounce all kings the devil's children; he gave the queen of England the appellation of atheiſt; he ſaid, that the treachery of the king's heart was now fully diſcovered; and in his prayers for the queen he uſed theſe words; *We muſt pray for her for the faſhion's ſake, but we have no cauſe: She will never do us any good.* When ſummoned before the privy council, he refuſed to anſwer to a civil court for any thing delivered from the pulpit, even though the crime, of which he was accuſed, was of a civil nature. The church adopted his cauſe. They raiſed a ſedition in Edinburgh [t]. The king, during ſome time, was in the hands of the enraged populace; and it was not without courage, as well as dex-

[q] Franklyn, p. 25. Spotſwood. [r] Spotſwood. [s] 1596. [t] 17th Dec. 1596.

terity, that he was able to extricate himſelf [u]. A few days after, a miniſter, preaching in the principal church of that capital, ſaid, that the king was poſſeſſed with a devil; and, that one devil being expelled, ſeven worſe had entered in his place [x]. To which he added, that the ſubjects might lawfully riſe, and take the ſword out of his hand. Scarcely, even during the darkeſt night of papal ſuperſtition, are there found ſuch inſtances of prieſtly encroachments, as the annals of Scotland preſent to us during that period.

BY theſe extravagant ſtretches of power, and by the patient conduct of James, the church began to loſe ground, even before the king's acceſſion to the throne of England: But no ſooner had that event taken place, than he made the Scottiſh clergy ſenſible, that he was become the ſovereign of a great kingdom, which he governed with great authority. Though formerly he would have thought himſelf happy to have made a fair partition with them of the civil and eccleſiaſtical authority, he was now reſolved to exert a ſupreme juriſdiction in church as well as ſtate, and to put an end to their ſeditious practices. An aſſembly had been ſummoned at Aberdeen [y]; but, on account of his journey to London, he prorogued it to the year following. Some of the clergy, diſavowing his eccleſiaſtical ſupremacy, met at the time firſt appointed, notwithſtanding his prohibition. He threw them into priſon. Such of them as ſubmitted, and acknowledged their error, were pardoned. The reſt were brought to their trial. They were condemned for high treaſon. The king gave them their lives; but baniſhed them the kingdom. Six of them ſuffered this penalty [z].

THE general aſſembly was afterwards induced [a] to acknowledge the king's authority in ſummoning eccleſiaſtical courts, and to ſubmit to the juriſdiction and viſitation of the biſhops. Even their favourite ſentence of excommunication was declared invalid, unleſs confirmed by the ordinary. The king recommended to the inferior courts the members whom they ſhould elect to this aſſembly; and every thing was conducted in it with little appearance of choice and liberty [b].

BY his own prerogative likewiſe, which he ſeems to have ſtretched on this occaſion, the king erected a court of high commiſſion [c], in imitation of that which was eſtabliſhed in England. The biſhops and a few of the clergy, who had been ſummoned, willingly acknowledged this court; and it proceeded immediately upon buſineſs, as if its authority had been grounded on the full conſent of the whole legiſlature.

[u] Spotſwood. [x] Ibid. [y] July 1604.
[z] Spotſwood. [a] 6th June, 1610. [b] Spotſwood.
[c] 15th Feb. 1610.

1617. 13th June. But James reserved the final blow for the time when he should himself pay a visit to Scotland. He proposed to the parliament, which was then assembled, that they should enact, that, "whatever his majesty should determine in the external "government of the church, with the consent of the archbishops, bishops "and a competent number of the ministry, should have the force of law [d]." What number should be deemed competent was not determined: And their nomination was left entirely to the king: So that his ecclesiastical authority, had this bill passed, would have been established in its full extent. Some of the clergy protested. They apprehended, they said, that the purity of their church would, by means of this new authority, be polluted with all the rites and liturgy of the church of England. James, dreading clamour and opposition, dropped the bill, which had already passed the lords of articles; and asserted, that the inherent prerogative of the crown contained more power than was recognized by it. Some time after,

20th July. he called, at St. Andrews, a meeting of the bishops and thirty six of the most eminent clergy. He there declared his resolution of exerting his prerogative, and of establishing, by his own authority, the few ceremonies which he had recommended to them. They entreated him rather to summon a general assembly, and to gain their assent. An assembly was accordingly summoned to meet on the 25th of November ensuing.

Yet this assembly, which met after the king's departure from Scotland, eluded all his applications; and it was not till the subsequent year, that he was able to procure a vote for receiving his ceremonies. And through every step in this affair, in the parliament as well as in all the general assemblies, the nation betrayed the utmost reluctance to all these innovations; and nothing but James's importunity and authority had extorted a seeming consent, which was belied by the inward sentiments of all ranks of people. Even the few, over whom religious prejudices were not prevalent, thought national honour sacrificed by a servile imitation of the modes of worship practised in England. And every prudent man agreed in condemning the measures of the king, who, by an ill-timed zeal for insignificant ceremonies, had betrayed, though in an opposite manner, equal narrowness of mind with the persons whom he treated with such contempt. It was judged, that, had not these dangerous humours been irritated by opposition; had they been allowed peaceably to evaporate; they would at last have subsided within the limits of law and civil authority. And that, as all fanatical religions naturally circumscribe to very narrow bounds the numbers and riches of the ecclesiastics; no sooner is their first fire spent, than they lose their credit over the people, and leave them under the na-

[d] Spotswood. Franklyn, p. 29.

tural and beneficent influence of their civil and moral obligations.

AT the ſame time, that James ſhocked, in ſo violent a manner, the religious principles of his Scottiſh ſubjects, he acted in oppoſition to thoſe of his Engliſh. He had obſerved, in his progreſs through England, that a judaical obſervance of the Sunday, chiefly by means of the puritans, was every day gaining ground throughout the kingdom, and that the people, under colour of religion, were, contrary to former practice, debarred ſuch ſports and recreations as contributed both to their health and their amuſement [f]. Feſtivals, which, in other nations and ages, are partly dedicated to public worſhip, partly to mirth and ſociety, were here totally appriated to the offices of religion, and ſerved to nouriſh thoſe ſullen and gloomy contemplations, to which the people were, of themſelves, ſo unfortunately ſubject. The king imagined, that it would be eaſy to infuſe cheerfulneſs into this dark ſpirit of devotion. He iſſued a proclamation to allow and encourage, after divine ſervice, all kinds of lawful games and exerciſes; and, by his authority, he endeavoured to give ſanction to a practice, which his ſubjects regarded as the utmoſt inſtance of profaneneſs and impiety [g].

f Kennet, p. 709.

g Franklyn, p. 31. To ſhow how rigid the Engliſh chiefly the puritans, were become in this particular, a bill was introduced into the houſe of commons, in the 18th of the king, for the more ſtrict obſervance of the Sunday, which they affected to call the Sabbath. One Shepherd oppoſed this bill, objected to the appellation of Sabbath as puritanical, defended dancing by the example of David, and ſeems even to have juſtified ſports on that day. For this profaneneſs he was expelled the houſe, by the ſuggeſtion of Mr. Pym. The houſe of Lords oppoſed ſo far this puritanical ſpirit of the commons, that they propoſed, that the appellation of *Sabbath* ſhould be changed into that of the *Lord's Day*. Journ. 15, 16. Feb. 1620. 28 May 1621. In Shepherd's ſentence, his offence is ſaid by the houſe to be great, exorbitant, unparalleled.

CHAP. XLVIII.

Sir Walter Raleigh's expedition——His execution——Inſurrections in Bohemia——Loſs of the Palatinate——Negociations with Spain——A parliament——Parties——Fall of Bacon——Rupture between the king and the commons——Proteſtation of the commons.

1618: Sir Walter Raleigh's expedition.

AT the time when Sir Walter Raleigh was firſt confined in the Tower, his violent and haughty temper had rendered him the moſt unpopular man in England; and his condemnation was chiefly owing to that public odium under which he laboured. During the thirteen years impriſonment which he ſuffered, the ſentiments of the nation were much changed with regard to him. Men had leiſure to reflect on the hardſhip, not to ſay injuſtice of his ſentence; they pitied his active and enterprizing ſpirit, which languiſhed in the rigours of confinement; they were ſtruck with the extenſive genius of the man, who, being educated amidſt naval and military enterprizes, had ſurpaſſed, in the purſuits of literature, even thoſe of the moſt recluſe and ſedentary lives; and they admired his unbroken magnanimity, which, at his age, and under his circumſtances, could engage him to undertake and execute ſo great a work as his Hiſtory of the World. To encreaſe theſe favourable diſpoſitions, on which he built the hopes of recovering his liberty, he ſpread the report of a golden mine which he had diſcovered in Guiana, and which was ſufficient, according to his repreſentation, not only to enrich all the adventurers, but to afford immenſe treaſures to the nation. The king gave little credit to theſe mighty promiſes; both becauſe he believed that no ſuch mine as the one deſcribed was any-where in nature, and becauſe he conſidered Raleigh as a man of deſperate fortunes, whoſe buſineſs it was, by any means, to procure his freedom, and to reinſtate himſelf in credit and authority. Thinking, however, that he had already undergone ſufficient puniſhment, he releaſed him from the Tower; and when his vaunts of the golden mine had induced multitudes to engage with him, the king gave them permiſſion to try the adventure, and at their deſire he conferred on Raleigh authority over his fellow-adventurers. Though ſtrongly ſolicited, he ſtill refuſed to grant him a pardon, which ſeemed a natural conſequence, when he was entruſted with power and command. But James declared himſelf ſtill diffident of Raleigh's intentions; and he meant, he ſaid, to reſerve the former ſentence, as a check upon his future behaviour.

RALEIGH well knew, that it was far from the king's purpoſe to invade any of the Spaniſh ſettlements: He therefore firmly denied that Spain had planted any colonies on that part of the coaſt where his mine lay. When Gondomar, the ambaſſador of that nation, alarmed at his preparations, carried complaints to the king, Raleigh ſtill proteſted the innocence of his intentions: And James aſſured Gondomar, that he durſt not form any hoſtile attempt, but ſhould pay with his head for ſo audacious an enterprize. The miniſter, however, concluding that twelve armed veſſels were not fitted out without ſome purpoſe of invaſion, conveyed the intelligence to the court of Madrid, who immediately gave orders for arming and fortifying all their ſettlements, particularly thoſe along the coaſt of Guiana.

WHEN the courage and avarice of the Spaniards and Portugueſe had diſcovered ſo many new worlds, they were reſolved to ſhew themſelves ſuperior to the barbarous heathens whom they invaded, not only in arts and arms, but alſo in the juſtice of the quarrel: They applied to Alexander VI. who then filled the papal chair; and he generouſly beſtowed on the Spaniards the whole weſtern, and on the Portugueſe the whole eaſtern part of the globe. The more ſcrupulous proteſtants, who acknowledged not the authority of the Roman pontiff, eſtabliſhed the firſt diſcovery as the foundation of *their* title; and if a pirate or ſea-adventurer of their nation had but erected a ſtick or ſtone on the coaſt, as a memorial of his taking poſſeſſion, they concluded the whole continent to belong to them, and thought themſelves entitled to expel or exterminate, as uſurpers, the ancient poſſeſſors and inhabitants. It was in this manner that Sir Walter Raleigh, about twenty three years before, had acquired to the crown of England a claim to the continent of Guiana, a region as large as the half of Europe; and though he had immediately left the coaſt, yet he pretended that the Engliſh title to the whole remained certain and indefeazable. But it had happened in the mean time, that the Spaniards, not knowing or not acknowledging this imaginary claim, had taken poſſeſſion of a part of Guiana, had formed a ſettlement on the river Oroonoko, had built a little town called St. Thomas, and were there working ſome mines of ſmall value.

To this place Raleigh directly bent his courſe; and, remaining himſelf at the mouth of the river with five of the largeſt ſhips, he ſent up the reſt to St. Thomas, under the command of his ſon, and of captain Keymis, a perſon entirely devoted to him. The Spaniards, who had expected this invaſion, fired on the Engliſh at their landing, were repulſed, and purſued into the town. Young Raleigh, to encourage his men, called out, *That this was the true mine, and none but fools looked for any other*; and advancing upon the Spaniards, received a ſhot of which he immediately expired. This diſmayed

not Keymis and the others. They carried on the attack; got poſſeſſion of the town, which they afterwards reduced to aſhes; and found not in it any thing of value.

RALEIGH did not pretend, that he had himſelf ſeen the mine, which he had engaged ſo many people to go in queſt of: It was Keymis, he ſaid, who had formerly diſcovered it, and had brought him that lump of ore, which promiſed ſuch immenſe treaſures. Yet Keymis, who owned that he was within two hours' march of the place, refuſed on the moſt abſurd pretences, to take any effectual ſtep towards finding it; and he returned immediately to Raleigh, with the melancholy news of his ſon's death and the ill ſucceſs of the enterprize. Senſible to reproach, and dreading puniſhment for his behaviour, Keymis in deſpair, retired into his cabin, and put an end to his own life.

THE other adventurers now concluded, that they were deceived by Raleigh; that he never had known of any ſuch mine as he pretended to go in ſearch of; that his intention had ever been to plunder St. Thomas; and having encouraged his company by the ſpoils of that place, to have thence proceeded to the invaſion of the other Spaniſh ſettlements; that he expected to repair his ruined fortunes by ſuch daring enterprizes; and that he truſted to the money he ſhould acquire, for making his peace with England; or if that view failed him, that he purpoſed to retire into ſome other country, where his riches would ſecure his retreat.

THE ſmall acquiſition, gained by the ſack of St. Thomas, diſcouraged Raleigh's companions from entering into theſe views; though there were many circumſtances in the treaty and late tranſactions, between the nations, which might invite them to engage in ſuch a piratical war againſt the Spaniards.

WHEN England made peace with Spain, the example of Henry IV. was imitated, who, at the treaty of Vervins, finding a difficulty in adjuſting all queſtions with regard to the Indian trade, had agreed to paſs over that article in total ſilence. The Spaniards having, all along, publiſhed ſevere edicts againſt the intercourſe of any European nation with their colonies, interpreted this ſilence in their own favour, and conſidered it as a tacit acquieſcence of England in the eſtabliſhed laws of Spain. The Engliſh, on the contrary, pretended, that, as they had never been excluded by any treaty from commerce with any part of the king of Spain's dominions, it was ſtill as lawful for them to trade with his ſettlements in either Indies, as with his European territories. In conſequence of this ambiguity, many adventurers from England ſailed to the Spaniſh Indies, and met with ſevere puniſhment when caught; as they, on the other hand, often ſtole, and, when ſuperior in power, forced a trade with the inhabitants, and reſiſted,

nay ſometimes plundered, the Spaniſh governors. Violences of this nature, which had been carried to a great height on both ſides, it was agreed to bury in total oblivion; becauſe of the difficulty which was found in remedying them, upon any fixed principles.

BUT as there appeared a great difference between private adventurers in ſingle ſhips, and a fleet acting under a royal commiſſion, Raleigh's companions thought it ſafeſt to return immediately to England, and carry him along with them to anſwer for his conduct. It appears that he employed many artifices, firſt to engage them to attack the Spaniſh ſettlements, and, failing of that, to make his eſcape into France: But all theſe proving unſucceſsful, he was delivered into the king's hands, and ſtrictly examined, as well as his fellow-adventurers, before the privy-council. The council, upon enquiry, found no difficulty in pronouncing, that the former ſuſpicions, with regard to Raleigh's intentions, had been well grounded; that he had abuſed the king in the repreſentations which he had made of his projected adventure; that, contrary to his inſtructions, he had acted in an offenſive and hoſtile manner againſt his majeſty's allies; and that he had wilfully burned and deſtroyed a town belonging to the king of Spain. He might have been tried, either by common law for this act of violence and piracy, or by martial law for breach of orders: But it was an eſtabliſhed principle among lawyers [g], that as he lay under an actual attainder for high-treaſon, he could not be brought to a new trial for any other crime. To ſatisfy, therefore, the court of Spain, which raiſed the loudeſt complaints againſt him, the king made uſe of that power which he had purpoſely reſerved in his own hands, and ſigned the warrant for his execution upon his former ſentence [h].

RALEIGH, finding his fate inevitable, collected all his courage: And though he had formerly made uſe of many mean artifices, ſuch as feigning madneſs, ſickneſs, and a variety of diſeaſes, in order to protract his examination, and procure his eſcape, he now reſolved to act his part with bravery and reſolution. *'Tis a ſharp remedy*, he ſaid, *but a ſure one for all ills*, when he felt the edge of the ax by which he was to be beheaded [i]. His harangue to the people was calm and eloquent; and he endeavoured to revenge himſelf, and to load his enemies with the public hatred, by ſtrong aſſeverations of facts, which, to ſay the leaſt, may be eſteemed very doubtful [k].

[g] See this matter diſcuſſed in Bacon's Letters publiſhed by Dr. Birch. p. 181.

[h] See note [I] at the end of the volume. [i] Franklyn, p. 32. [k] He aſſerted in the moſt ſolemn manner, that he had no wiſe contributed to Eſſex's death: But the laſt letter in Murden's Collection contains the ſtrongeſt proof of the contrary.

1618 29th Octob. Raleigh's execution.

With the utmoſt indifference, he laid his head upon the block, and received the fatal blow. And in his death there appeared the ſame great, but ill-regulated mind, which during his life, had diſplayed itſelf in all his conduct and, behaviour.

No meaſure of James's reign was attended with more public diſſatisfaction than the puniſhment of Sir Walter Raleigh. To execute a ſentence which was originally ſo hard, which had been ſo long ſuſpended, and which ſeemed to have been tacitly pardoned, by conferring on him a new truſt and commiſſion, was deemed an inſtance of cruelty and injuſtice. To ſacrifice, to a concealed enemy of England, the life of the only man in the nation who had a high reputation for valour and military experience, was regarded as meanneſs and indiſcretion: And the intimate connections which the king was now entering into with Spain, being univerſally diſtaſteful, rendered this proof of his complaiſance ſtill more invidious and unpopular.

JAMES had entertained an opinion, which was peculiar to himſelf, and which had been adopted by none of his predeceſſors, that any alliance, below that of a great king was unworthy of a prince of Wales; and he never would allow any princeſs but a daughter of France or Spain to be mentioned as a match for his ſon [l]. This inſtance of pride, which really implies meanneſs, as if he could receive honour from any alliance, was ſo well known, that Spain had founded on it the hopes of governing, in the moſt important tranſactions, this monarch, ſo little celebrated for politics or prudence. During the life of Henry, the king of Spain had dropped ſome hints of beſtowing on that prince his eldeſt daughter, whom he afterwards diſpoſed of in marriage to the young king of France, Lewis XIII. At that time the views of the Spaniards were to engage James into a neutrality with regard to the ſucceſſion of Cleves, which was diſputed between the proteſtant and popiſh line [m]: But the bait did not then take; and James, in conſequence of his alliance with the Dutch, and with Henry IV. of France, marched [n] 4000 men, under the command of Sir Edward Cecil, who joined theſe two powers, and put the marquis of Brandenburgh and the palatine of Newbourgh in poſſeſſion of that dutchy.

GONDOMAR was, at this time, the Spaniſh ambaſſador in England; a man whoſe flattery was the more artful, becauſe covered with the appearance of frankneſs and ſincerity; whoſe politics were the more dangerous, becauſe diſguiſed under the maſk of mirth and pleaſantry. He now made offer of the ſecond daughter of Spain to prince Charles; and, that he might render the temptation irreſiſtible to the neceſſitous monarch, he gave hopes of an immenſe fortune, which ſhould attend the princeſs. The court

[l] Kennet, p. 703. 748. [m] Ruſhworth, vol. i. p. 2. [n] 1610

of Spain, though determined to contract no alliance with a heretic [o], entered into negociations with James which they artfully protracted, and, amidſt every diſappointment, they ſtill redoubled his hopes of ſucceſs, [p]. The tranſactions in Germany ſo important to the Auſtrian greatneſs, became every day a new motive for this duplicity of conduct.

1618. Inſurrections in Bohemia.

IN that great revolution of manners which happened during the ſixteenth and the ſeventeenth centuries, the only nations who had the honourable, though often melancholy advantage, of making an effort for their expiring privileges, were ſuch as, together with the principles of civil liberty, were animated with a zeal for religious parties and opinions. Beſides the irreſiſtible force of ſtanding armies, the European princes poſſeſſed this advantage, that they were deſcended from the ancient royal families; that they continued the ſame appellations of magiſtrates, the ſame appearance of civil government; and reſtraining themſelves by all the forms of legal adminiſtration, could inſenſibly impoſe the yoke on their unguarded ſubjects. Even the German nations, who formerly broke the Roman chains, and reſtored liberty to mankind, now loſt their own liberty, and ſaw with grief the abſolute authority of their princes firmly eſtabliſhed among them. In their circumſtances, nothing but a pious zeal, which diſregards all motives of human prudence, could have made them entertain hopes of preſerving any longer thoſe privileges which their anceſtors, through ſo many ages, had tranſmitted to them.

As the houſe of Auſtria, throughout all her extenſive dominions, had ever made religion the pretence for her uſurpations, ſhe now met with reſiſtance from a like principle; and the catholic religion, as uſual, had ranged itſelf on the ſide of monarchy; the proteſtant, on that of liberty. The ſtates of Bohemia, having taken arms againſt the emperor Matthias, continued their revolt againſt his ſucceſſor Ferdinand, and claimed the obſervance of all the edicts enacted in favour of the new religion, together with the reſtoration of their ancient laws and conſtitution. The neighbouring principalities, Sileſia, Moravia, Luſatia, Auſtria, even the kingdom of Hungary, took part in the quarrel; and throughout all theſe populous and martial provinces, the ſpirit of diſcord and civil war had univerſally diffuſed itſelf [q].

1619.

FERDINAND II. who poſſeſſed more vigour and greater abilities, though not more lenity and moderation, than are uſual with the Auſtrian princes, ſtrongly armed himſelf for the recovery of his authority; and beſides employing the aſſiſtance of his ſubjects, who profeſſed the ancient religion, he engaged on his ſide a powerful alliance of the

[o] La Boderie, vol. ii. p. 30. [p] Frankl'yn, p. 71. [q] Ruſhworth, vol i. p. 7, 8.

neighbouring potentates. All the catholic princes of the empire had embraced his defence; even Saxony, the moſt powerful of the proteſtant: Poland had declared itſelf in his favour[r]; and, above all, the Spaniſh monarch, deeming his own intereſt cloſely connected with that of the younger branch of his family, prepared powerful ſuccours from Italy, and from the Low-Countries; and he alſo advanced large ſums for the ſupport of Ferdinand and of the catholic religion.

THE ſtates of Bohemia, alarmed at theſe mighty preparations, began alſo to ſolicit foreign aſſiſtance; and, together with that ſupport which they obtained from the evangelical union in Germany, they endeavoured to eſtabliſh connexions with greater princes. They caſt their eyes on Frederic, elector Palatine. They conſidered, that, beſides commanding no deſpicable force of his own, he was ſon-in-law to the king of England, and nephew to prince Maurice, whoſe authority was become almoſt abſolute in the United Provinces. They hoped that theſe princes, moved by the connexions of blood, as well as by the tie of their common religion, would intereſt themſelves in all the fortunes of Frederic, and would promote his greatneſs. They therefore made him a tender of their crown, which they conſidered as elective; and the young Palatine, ſtimulated by ambition, without conſulting either James[s] or Maurice, whoſe oppoſition he foreſaw, immediately accepted the offer, and marched all his forces into Bohemia, in ſupport of his new ſubjects.

THE news of theſe events no ſooner reached England, than the whole kingdom was on fire to engage in the quarrel. Scarcely was the ardour greater, with which all the ſtates of Europe, in former ages, flew to reſcue the holy land from the dominion of infidels. The nation was, as yet ſincerely attached to the blood of their monarchs, and they conſidered their connexion with the Palatine, who had married a daughter of England, as very cloſe and intimate. And when they heard of catholics carrying on wars and perſecutions againſt proteſtants, they thought their own intereſt deeply concerned, and regarded their neutrality as a baſe deſertion of the cauſe of God, and of his holy religion. In ſuch a quarrel, they would gladly have marched to the oppoſite extremity of Europe, have plunged themſelves into a chaos of German politics, and have expended all the blood and treaſure of the nation, by maintaining a conteſt with the whole houſe of Auſtria, at the very time, and in the very place, in which it was the moſt potent, and almoſt irreſiſtible.

BUT James, beſides that his temper was too little enterprizing for ſuch vaſt undertakings, was reſtrained by another motive, which had a mighty influence over him: He refuſed to patronize the revolt of ſubjects againſt

[r] Ruſhworth, vol. i. p. 13, 14. [s] Franklyn, p. 49.

their ſovereign. From the very firſt he denied to his ſon-in law the title of king of Bohemia [t]: He forbade him to be prayed for in the churches under that appellation: And though he owned that he had nowiſe examined the pretenſions, privileges, and conſtitution of the revolted ſtates [u], ſo exalted was his idea of the rights of kings, that he concluded ſubjects muſt ever be in the wrong, when they ſtood in oppoſition to thoſe who had acquired or aſſumed that majeſtic title. Thus, even in meaſures founded on true politics, James intermixed ſo many narrow prejudices, as diminiſhed his authority, and expoſed him to the imputation of weakneſs and of error.

MEANWHILE, affairs every where haſtened to a criſis. Ferdinand levied a great force, under the command of the duke of Bavaria, and the count of Bucquoy; and advanced upon his enemy in Bohemia. In the Low-countries, Spinola collected a veteran army of thirty thouſand men. When Edmonds, the king's reſident at Bruſſels, made remonſtrances to the archduke Albert, he was anſwered, that the orders for this armament had been tranſmitted to Spinola from Madrid, and that he alone knew the ſecret deſtination of it. Spinola again told the miniſter, that his orders were ſtill ſealed; but if Edmonds would accompany him in his march to Coblentz, he would there open them, and give him full ſatisfaction [w]. It was more eaſy to ſee his intentions, than to prevent their ſucceſs. Almoſt at one time, it was known in England that Frederic, being defeated in the great and deciſive battle of Prague, had fled with his family into Holland, and that Spinola had invaded the palatine, and meeting with no reſiſtance, except from ſome princes of the union, and from one Engliſh regiment of 2400 men, commanded by the brave Sir Horace Vere [x], had, in a little time, reduced the greater part of that principality.

1620. Loſs of the Palatinate.

HIGH were now the murmers and complaints againſt the king's neutrality, and unactive diſpoſition. The happineſs and tranquillity of their own country became diſtaſteful to the Engliſh, when they reflected on the grievances and diſtreſſes of their proteſtant brethren in Germany. They conſidered not, that their interpoſition in the wars of the continent, though agreeable to religious zeal, could not, at that time, be juſtified by any ſound maxims of politics; that, however exorbitant the Auſtrian greatneſs, the danger was ſtill too diſtant to give any juſt alarm to England; that mighty reſiſtance would yet be made by ſo many potent and warlike princes and ſtates in Germany, ere they would yield their neck to the yoke; that France, now engaged to contract a double alliance with the Auſtrian family, muſt neceſſarily be ſoon rouzed from her

[t] Ruſhworth, vol. i. p. 12, 13. [u] Franklyn, p. 48. [w] Ibid, p. 44 Ruſhworth, vol. i. p. 14. [x] Ibid. p. 42, 43. Ruſhworth, vol. i. p. 15. Kennet, p. 723.

lethargy, and oppoſe the progreſs of ſo hated a rival; that in the farther advance of conqueſts, even the intereſts of the two branches of that ambitious family muſt interfere, and beget mutual jealouſy and oppoſition; that a land-war, carried on at ſuch a diſtance, would waſte the blood and treaſure of the Engliſh nation, without any hopes of ſucceſs: that a ſea-war, indeed, might be more ſafe and ſucceſsful againſt Spain, but would not affect the enemy in ſuch vital parts as to make them ſtop their career of ſucceſs in Germany, and abandon all their acquiſitions; and that the proſpect of recovering the Palatinate being at preſent deſperate, the affair was reduced to this ſimple queſtion, whether peace and commerce with Spain, or the uncertain hopes of plunder and of conqueſt in the Indies, were preferable? a queſtion which, at the beginning of the king's reign, had already been decided, and perhaps with reaſon, in favour of the former advantages.

1620. Negociations with Spain.

James might have defended his pacific meaſures by ſuch plauſible arguments: But theſe, though the chief, ſeem not to have been the ſole motives which ſwayed him. He had entertained the notion, that, as his own juſtice and moderation had ſhone out ſo conſpicuouſly throughout all theſe tranſactions, the whole houſe of Auſtria, though not awed by the power of England, would willingly, from mere reſpect to his virtue, ſubmit themſelves to ſo equitable an arbitration. He flattered himſelf that, after he had formed an intimate connexion with the Spaniſh monarch, by means of his ſon's marriage, the reſtitution of the Palatinate might be procured, from the motive alone of friendſhip and perſonal attachment. He perceived not, that his unactive virtue, the more it was extolled, the greater diſregard was it expoſed to. He was not ſenſible that the Spaniſh match was itſelf attended with ſuch difficulties, that all his arts of negociation would ſcarcely be able to ſurmount them: much leſs, that this match could in good policy be depended on, as the means of procuring ſuch extraordinary advantages. His unwarlike diſpoſition, encreaſed by age, rivetted him ſtill faſter in his errors, and determined him to ſeek the reſtoration of his ſon-in-law, by remonſtrances and entreaties, by arguments and embaſſies, rather than by blood and violence. And the ſame defect of courage which held him in awe of foreign nations, made him likewiſe afraid of ſhocking the prejudices of his own ſubjects, and kept him from openly avowing the meaſures which he was determined to purſue. Or, perhaps, he hoped to turn theſe prejudices to account; and, by their means, engage his people to furniſh him with ſupplies, of which their exceſſive frugality had hitherto made them ſo ſparing and reſerved [y].

[y] Franklyn, p. 47. Ruſhworth, vol. i.

HE firſt tried the expedient of a benevolence or free gift from individuals; pretending the urgency of the caſe, which would not admit of leiſure for any other meaſure: But the jealouſy of liberty was now rouzed, and the nation regarded theſe pretended benevolences as real extortions, contrary to law, and dangerous to freedom, however authoriſed by ancient precedent. A parliament was found to be the only reſource which could furniſh any large ſupplies; and writs were accordingly iſſued for ſummoning that great council of the nation [z]. A parliament.

IN this parliament, there appeared, at firſt, nothing but duty and ſubmiſſion on the part of the commons; and they ſeemed determined to ſacrifice every thing, in order to maintain a good correſpondence with their prince. They would allow no mention to be made of the new cuſtoms or impoſitions, which had been ſo eagerly diſputed in the former parliament [a]: The impriſonment of the members of that parliament was here, by ſome, complained of; but, by the authority of the graver and more prudent part of the houſe, that grievance was buried in oblivion [b]: And, being informed that the king had remitted ſeveral conſiderable ſums to the Palatine, the commons, without a negative, voted him two ſubſidies [c]; and that too, at the very beginning of the ſeſſion, contrary to the maxims frequently adopted by their predeceſſors. 1621. 16th June.

AFTERWARDS, they proceeded, but in a very temperate manner, to the examination of grievances. They found, that patents had been granted to Sir Giles Mompeſſon and Sir Francis Michel, for licenſing inns and alehouſes; that great ſums of money had been exacted, under pretext of theſe licences; and that ſuch inn-keepers as preſumed to continue their buſineſs, without ſatisfying the rapacity of the patentees, had been ſeverely puniſhed by fine, impriſonment, and vexatious proſecutions.

THE ſame perſons had alſo procured a patent, which they ſhared with Sir Edward Villiers, brother to Buckingham, for the ſole making of gold and ſilver thread and lace, and had obtained very extraordinary powers for preventing any rivalſhip in theſe manufactures: They were armed with authority to ſearch for all goods, which might interfere with their patent; and even to puniſh, at their own will and diſcretion, the makers, importers, and venders of ſuch commodities. Many had grievouſly ſuffered by this exorbitant juriſdiction; and the lace, which had been manufactured by the patentees, was univerſally found to be adulterated, and to be compoſed more of copper than of the precious metals.

THESE grievances the commons repreſented to the king; and they met with a very gracious and very cordial reception. He ſeemed even

[z] See note [K] at the end of the volume.

[a] Journ. 5 Dec. 1621. [b] Journ. 12. 16 Feb. 1620. [c] Journ. 26 Feb. 1621.

thankful for the information given him; and declared himſelf aſhamed, that ſuch abuſes, unknowingly to him, had creeped into his adminiſtration. "I aſſure you," ſaid he, "had I before heard theſe things com-"plained of, I would have done the office of a juſt king, and out of parlia-"ment have puniſhed them, as ſeverely, and peradventure more, than you "now intend to do[d]." A ſentence was paſſed for the puniſhment of Michel and Mompeſſon[e]. It was executed on the former. The latter broke priſon and eſcaped. Villiers was, at that time, ſent purpoſely on a foreign employment; and his guilt being leſs enormous, or leſs apparent, than that of the others, he was the more eaſily protected by the credit of his brother, Buckingham[f].

1621. Bacon's fall. ENCOURAGED by this ſucceſs, the commons carried their ſcrutiny, and ſtill with a reſpectful hand, into other abuſes of importance. The great ſeal was, at that time, in the hands of the celebrated Bacon, created Viſcount St. Albans; a man univerſally admired for the greatneſs of his genius, and beloved for the courteouſneſs and humanity of his behaviour. He was the great ornament of his age and nation; and nought was wanting to render him the ornament of human nature itſelf, but that ſtrength of mind which might check his intemperate deſire of preferment, that could add nothing to his dignity, and might reſtrain his profuſe inclination to expence, that could be requiſite neither for his honour nor entertainment. His want of œconomy, and his indulgence to ſervants, had involved him in neceſſities; and, in order to ſupply his prodigality, he had been tempted to take bribes, by the title of preſents, and that in a very open manner, from ſuitors in chancery. It appears, that it had been uſual for former chancellors to take preſents; and it is pretended, that Bacon, who followed the ſame dangerous practice, had ſtill, in the ſeat of juſtice, preſerved the integrity of a judge, and had given juſt decrees againſt thoſe very perſons, from whom he had received the wages of iniquity. Complaints roſe the louder on that acconnt, and at laſt reached the houſe of commons, who ſent up an impeachment againſt him to the peers. The chancellor, conſcious of guilt, deprecated the vengeance of his judges, and endeavoured, by a general avowal, to eſcape the confuſion of a ſtricter enquiry. The lords inſiſted on a particular confeſſion of all his corruptions. He acknowledged twenty-eight articles; and was ſentenced to pay a fine of 40,000 pounds, to be im-

[d] Franklyn, p. 51. Ruſhworth, p. 25. [e] Franklyn, p. 52. Ruſhworth, vol. i. p. 27.

[f] Yelverton, the attorney-general, was accuſed by the commons for drawing the patents for theſe monopolies, and for ſupporting them. He apologized for himſelf, that he was forced by Buckingham, and that he ſuppoſed it to be the king's pleaſure. The lords were ſo offended at theſe articles of defence, though neceſſary to the attorney-general, that they fined him 10 000 pounds to the king, 5000 to the duke. The fines, however, were afterwards remitted. Franklyn, p. 55. Ruſhworth, vol. i. p 31. 32. &c.

priſoned in the Tower during the king's pleaſure, to be for ever incapable of any office, place, or employment, and never again to ſit in parliament, or come within the verge of the court.

THIS dreadful ſentence, dreadful to a man of nice ſenſibility to honour, he ſurvived five years; and, being releaſed in a little time from the Tower, his genius, yet unbroken, ſupported itſelf amidſt involved circumſtances and a depreſſed ſpirit, and ſhone out in literary productions, which have made his guilt or weakneſſes be forgotten or overlooked by poſterity. In conſideration of his great merit, the king remitted his fine, as well as all the other parts of his ſentence, conferred on him a large penſion of 1800 pounds a-year, and employed every expedient to alleviate the weight of his age and misfortunes. And that great philoſopher, at laſt acknowledged with regret, that he had too long neglected the true ambition of a fine genius; and, by plunging into buſineſs and affairs, which require much leſs capacity, but greater firmneſs of mind, than the purſuits of learning, had expoſed himſelf to ſuch grievous calamities [g].

THE commons had entertained the idea, that they were the great patrons of the people, and that the redreſs of all grievances muſt proceed from them; and to this principle they were chiefly beholden for the regard and conſideration of the public. In the execution of this office, they now kept their ears open to complaints of every kind; and they carried their reſearches into many grievances, which, though of no great importance, could not be touched on, without ſenſibly affecting the king and his miniſters. The prerogative ſeemed every moment to be invaded; the king's authority, in every article, was diſputed; and James, who was willing to correct the abuſes of his power, would not ſubmit to have his power itſelf queſtioned and denied. After the houſe, therefore, had ſitten near ſix months, and had, as yet brought no conſiderable buſineſs to a full concluſion, the king reſolved, under pretence of the advanced ſeaſon to interrupt their proceedings; and he ſent them word, that he was determined, in a little time, to adjourn them till next winter. The commons made application to the lords, and deſired them to join in a petition for delaying the adjournment; which was refuſed by the upper houſe. The king regarded this project of a joint petition as an attempt to force him from his meaſures: He thanked the peers for their refuſal to concur in it, and told them, that, if it were their deſire, he would delay the adjournment, but would not ſo far compl with the requeſt of the lower houſe [h]. And thus, in theſe great national affairs, the ſame peeviſhneſs,

[g] It is thought, that appeals from chancery to the houſe of peers firſt came into practice, while Bacon held the great ſeal. Appeals, under the form of *writs of error*, had long before lain againſt the courts of law. Blackſtone's Commentary. vol. ii. p. 454.

[h] Ruſhworth, vol. i. p. 35.

which, in private altercations, often raiſes a quarrel from the ſmalleſt beginnings, produced a mutual coldneſs and diſguſt between the king and the commons.

1611. Rupture between the king and the commons.

DURING the receſs of parliament, the king uſed every meaſure to render himſelf popular with the nation, and to appeaſe the riſing ill humour of the repreſentatives. He had voluntarily offered the parliament to circumſcribe his own prerogative, and to abrogate for the future his power of granting monopolies. He now recalled all the patents of that kind, and redreſſed every article of grievance, to the number of thirty-ſeven, which had ever been complained of in the houſe of commons [i]. But he gained not the end which he propoſed. The diſguſt, which had appeared at parting, could not ſo ſuddenly be diſpelled. He had likewiſe been ſo imprudent as to commit to priſon Sir Edwin Sandys [k], without any known cauſe, beſides his activity and vigour in diſcharging his duty as member of parliament. And, above all, the tranſactions in Germany were ſufficient, when joined to the king's cautions, negociations, and delays, to inflame that jealouſy of honour and religion which prevailed throughout the nation [l]. This ſummer, the ban of the empire had been publiſhed againſt the elector Palatine; and the execution of it was committed to the duke of Bavaria [m]. The Upper Palatinate was, in a little time conquered by that prince; and meaſures were taking in the empire for beſtowing on him the electoral dignity, of which the Palatine was deſpoiled. Frederic now lived with his numerous family, in poverty and diſtreſs, either in Holland or at Sedan, with his uncle the duke of Bouillon. And throughout all the new conqueſts, in both the Palatinates, as well as in Bohemia, Auſtria, and Luſatia, the progreſs of the Auſtrian arms was attended with rigours and ſeverities exerciſed againſt the profeſſors of the reformed religion.

THE zeal of the commons immediately moved them, upon their aſſembling, to take all theſe tranſactions into conſideration. They framed a remonſtrance, which they intended to carry to the king. They repreſented, that the enormous growth of

14th Nov.

i Ruſhworth. vol. ii. p. 36. Kennet, p. 733. k Journ. 1 Dec. 1621.

l To ſhow to what degree the nation was inflamed with regard to the Palatinate, there occurs a remarkable ſtory this ſeſſion. One Floyd, a priſoner in the Fleet, a catholic had dropped ſome expreſſions, in private converſation, as if he were pleaſed with the misfortunes of the Palatine and his wife. The commons were in a flame; and pretending to be a court of judicature and of record, proceeded to condemn him to a ſevere puniſhment. The houſe of lords checked this encroachment; and, what was extraordinary, conſidering the preſent humour of the lower houſe, the letter acquieſced in the ſentiments of the peers. This is almoſt the only pretenſion of the Engliſh commons, in which they have not prevailed. Happily for the nation, they have been ſucceſsful in almoſt all the other claims. See Parliamentary Hiſtory, vol. v. p. 428, 429, &c. Journ. 4. 8. 12 May, 1621. m Frankyln, p. 93.

the Auſtrian power threatened the liberties of Europe; that the progreſs of the catholic religion in England bred the moſt melancholy apprehenſions, leſt it ſhould again acquire an aſcendant in the kingdom; that the indulgence of his majeſty towards the profeſſors of that religion had encouraged their inſolence and temerity; that the uncontrouled conqueſts made by the Auſtrian family in Germany, raiſed mighty expectations in the Engliſh papiſts; but above all, that the proſpect of the Spaniſh match elevated them ſo far as to hope for an entire toleration, if not the final re-eſtabliſhment of their religion. The commons, therefore, entreated his majeſty, that he would immediately undertake the defence of the Palatine, and maintain it by force of arms; that he would turn his ſword againſt Spain, whoſe armies and treaſures where the chief ſupport of the catholic intereſt in Europe; that he would enter into no negociation for the marriage of his ſon but with a proteſtant princeſs; that the children of popiſh recuſants ſhould be taken from their parents, and be committed to the care of proteſtant teachers and ſchoolmaſters; and that the fines and confiſcations, to which the catholics were by law liable, ſhould be levied with the utmoſt ſeverity [n].

BY this *bold* ſtep, unprecedented in England for many years, and ſcarcely ever heard of in peaceable times, the commons attacked at once all the king's favourite maxims of government; his cautious and pacific meaſures, his lenity towards the Romiſh religion, and his attachment to the Spaniſh alliance, from which he promiſed himſelf ſuch mighty advantages. But what moſt diſguſted him was, their ſeeming invaſion of his prerogative, and their pretending, under colour of advice, to direct his conduct in ſuch points, as had ever been acknowledged to belong ſolely to the management and direction of the ſovereign. He was, at that time, abſent at Newmarket; but as ſoon as he heard of the intended remonſtrance of the commons, he wrote a letter to the ſpeaker, in which he ſharply rebuked the houſe for openly debating matters far above their reach and capacity, and he ſtrictly forbade them to meddle with any thing that regarded his government, or deep matters of ſtate, and eſpecially not to touch on his ſon's marriage with the daughter of Spain, nor to attack the honour of that king, or any other of his friends and confederates. In order the more to intimidate them, he mentioned the impriſonment of Sir Edwin Sandys; and though he denied that the confinement of that member had been owing to any offence committed in the houſe, he plainly told them, that he thought himſelf fully intitled to puniſh every miſdemeanor in parliament, as well during its ſitting as after its diſſolution; and that he intended thenceforward to chaſtize any man, whoſe inſolent behaviour there ſhould miniſter occaſion of offence [o].

THIS *violent* letter, in which the king, though he here imitated former

[n] Franklyn, p. 58. 59. Ruſhworth. vol. i. p. 40. 41. Kennet, p. 737.

[o] Frankyln, p. 60. Ruſhworth, vol. i. p. 43. Kennet, p. 741.

precedents, may be thought not to have acted altogether on the defensive, had the effect which might naturally have been expected from it: The commons were inflamed, not terrified. Secure of their own popularity, and of the bent of the nation towards a war with the catholics abroad, and the persecution of popery at home, they little dreaded the menaces of a prince, who was unsupported by military force, and whose gentle temper would, of itself, so soon disarm his severity. In a new remonstrance therefore, they still insisted on their former remonstrance, and advice; and they maintained, though in respectful terms, that they were intitled to interpose with their counsel in all matters of government; that, to possess entire freedom of speech, in their debates on public business, was their ancient and undoubted right, and an inheritance transmitted to them from their ancestors; and that, if any member abused this liberty, it belonged to the house alone, who were witnesses of his offence, to inflict a proper censure upon him [p].

So *vigorous* an answer was nowise calculated to appease the king. It is said, when the approach of the committee who were to present it was notified to him, he ordered twelve chairs to be brought: For that there were so many kings a coming [q]. His answer was prompt and sharp. He told the house, that their remonstrance was more like a denunciation of war than an address of dutiful subjects; that their pretension to enquire into all state-affairs, without exception, was such a *plenipotence* as none of their ancestors, even during the reign of the weakest princes, had ever pretended to; that public transactions depended on a complication of views and intelligence, with which they were entirely unacquainted; that they could not better show their wisdom, as well as duty, than by keeping within their proper [r] sphere; and that, in any business which depended on his prerogative, they had no title to interpose with their advice, except when he was pleased to desire it. And he concluded with these memorable words: *And though we cannot allow of your stile, in mentioning your ancient and undoubted right and inheritance, but would rather have wished that ye had said, that your privileges were derived from the grace and permission of our ancestors and us (for the most of them grew from precedents, which shows rather a toleration than inheritance)*; *yet we are pleased to give you our royal assurance, that as long as you contain yourselves within the limits of your duty, we will be as careful to maintain and preserve your lawful liberties and privileges, as ever any of our predecessors were, nay, as to preserve our own royal prerogative*.[s]

THIS open pretension of the king's naturally gave great alarm to the

[p] Franklyn, p. 60. Rushworth, vol. i. p. 44. Kennet, p. 741. [q] Kennet, p. 43.

[r] *Ne sutor ultra crepidam.* This expression is imagined to be insolent and disobliging: But it was a Latin proverb familiarly used on all occasions.

[s] Franklyn, p. 62, 63, 64. Rushworth, vol. i. p. 46, 47, &c. Kennet, p. 743.

houſe of commons. They ſaw their title to every privilege, if not plainly denied, yet conſidered at leaſt as precarious. It might be forfeited by abuſe, and they had already abuſed it. They thought proper, therefore, immediately to oppoſe pretenſion to pretenſion. They framed a proteſtation, in which they repeated all their former claims for freedom of ſpeech, and an unbounded authority to interpoſe with their advice and counſel. And they aſſerted, *That the liberties, franchiſes, privileges, and juriſdictions of parliament, are the ancient and undoubted birth right and inheritance of the ſubjects of England* [t]. 1621. 18th. Dec. Proteſtation of the commons.

THE king, informed of theſe encreaſing heats and jealouſies in the houſe, hurried to town. He ſent immediately for the journals of the commons; and, with his own hand, before the council, he tore out this proteſtation [u]; and ordered his reaſons to be inſerted in the council-book. He was doubly diſpleaſed, he ſaid, with the proteſtation of the lower houſe, on account of the manner of framing it, as well as of the matter which it contained. It was tumultuouſly voted, at a late hour, and in a thin houſe; and it was expreſſed in ſuch general and ambiguous terms, as might ſerve for a foundation to the moſt enormous claims, and to the moſt unwarrantable uſurpations upon his prerogative [w].

THE meeting of the houſe might have proved dangerous after ſo violent a breach. It was no longer poſſible, while men were in ſuch a temper, to finiſh any buſineſs. The king, therefore, prorogued the parliament, and ſoon after diſſolved it by proclamation; in which he alſo made an apology to the public for his whole conduct.

THE leading members of the houſe, Sir Edward Coke and Sir Robert Philips, were committed to the Tower; Selden, Pym, and Mallory, to other priſons [x]. As a lighter puniſhment, Sir Dudley Digges, Sir Thomas Crew, Sir Nathaniel Rich, Sir James Perrot, joined in commiſſion with others, were ſent to Ireland, in order to execute ſome buſineſs [y]. The king, at that time, enjoyed, at leaſt exerciſed, the prerogative of employing any man, even without his conſent, in any branch of public ſervice.

SIR John Savile, a powerful man in the houſe of commons, and a zealous opponent of the court, was made comptroller of the houſehold, a privy counſellor, and ſoon after a baron [z]. This event is memorable; as being the firſt inſtance, perhaps, in the whole hiſtory of England, of any king's advancing a man on account of parliamentary intereſt, and of oppoſition to his meaſures. However irregular this practice, it will be regarded by

[t] See note [L] at the end of the volume. [u] Journ. 18 Dec. 1621.
[w] Franklyn, p. 65. [x] Franklyn, p. 66. Ruſhworth, vol. i. p. 55.
[y] Franklyn, p. 66. Ruſhworth, vol. i. p. 55. [z] Kennet, p. 749.

political reaſoners, as one of the moſt early and moſt infallible ſymptoms of a regular eſtabliſhed liberty.

THE king having thus, with ſo raſh and indiſcreet a hand, torn off that ſacred veil which had hitherto covered the Engliſh conſtitution, and which threw an obſcurity upon it, ſo advantageous to royal prerogative, every man began to indulge himſelf in political reaſonings and enquiries; and the ſame factions which commenced in parliament, were propagated throughout the nation. In vain did James, by reiterated proclamations, forbid the diſcourſing of ſtate affairs [a]. Such proclamations, if they had any effect, ſerved rather to inflame the curioſity of the public. And, in every company or ſociety, the late tranſactions became the ſubject of argument and debate.

ALL hiſtory, ſaid the partizans of the court, as well as the hiſtory of England, juſtify the king's poſition with regard to the origin of popular privileges; and every reaſonable man muſt allow, that, as monarchy is the moſt ſimple form of government, it muſt firſt have occurred to rude and uninſtructed mankind. The other complicated and artificial additions were the ſucceſſive invention of ſovereigns and legiſlators; or, if they were obtruded on the prince by ſeditious ſubjects, their origin muſt appear, on that very account, ſtill more precarious and unfavourable. In England, the authority of the king, in all the exterior forms of government, and in the common ſtyle of law, appears totally abſolute and ſovereign; nor does the real ſpirit of the conſtitution, as it has ever diſcovered itſelf in practice, fall much ſhort of theſe appearances. The parliament is created by his will; by his will it is diſſolved. It is his will alone, though at the deſire of both houſes, which gives authority to laws. To all foreign nations, the majeſty of the monarch ſeems to merit ſole attention and regard. And no ſubject, who has expoſed himſelf to royal indignation, can hope to live with ſafety in the kingdom; nor can he even leave it, according to law, without the conſent of his maſter. If a magiſtrate, invironed with ſuch power and ſplendor, ſhould conſider his authority as ſacred, and regard himſelf as the anointed of heaven, his pretenſions may bear a very favourable conſtruction. Or, allowing them to be merely pious frauds, we need not be ſurprized, that the ſame ſtratagem which was practiſed by Minos, Numa, and the moſt celebrated legiſlators of antiquity, ſhould, now, in theſe reſtleſs and inquiſitive times, be employed by the king of England. Subjects are not raiſed above that quality, though aſſembled in parliament. The ſame humble reſpect and deference is ſtill due to their prince. Though he indulges them in the privilege of laying before him their domeſtic grie-

[a] Franklyn, p. 56. Ruſhworth, vol. i. p. 21. 36. 55. The king alſo, in imitation of his predeceſſors, gave rules to preachers. Franklyn, p. 70. The pulpit was at that time much more dangerous than the preſs. Few people could read, and ſtill fewer were in the practice of reading.

ances, with which they are ſuppoſed to be beſt acquainted, this warrants not their bold intruſion into every province of government. And, to all judicious examiners, it muſt appear, "That the lines of duty are as much "tranſgreſſed by a more independent and leſs reſpectful exerciſe of acknow-"ledged powers, as by the uſurpation of ſuch as are new and unuſual."

THE lovers of liberty, throughout the nation, reaſoned after a different manner. It is in vain, ſaid they, that the king traces up the Engliſh government to its firſt origin, in order to repreſent the privileges of parliament as dependent and precarious: Preſcription, and the practice of ſo many ages, muſt, long ere this time, have given a ſanction to theſe aſſemblies, even though they had been derived from an origin no more dignified than that which he aſſigns them. If the written records of the Engliſh nation, as aſſerted, repreſent parliaments to have ariſen from the conſent of monarchs, the principles of human nature, when we trace government a ſtep higher, muſt ſhow us, that monarchs themſelves owe all their authority to the voluntary ſubmiſſion of the people. But, in fact, no age can be ſhown, when the Engliſh government was altogether an unmixed monarchy: And, if the privileges of the nation have, at any period, been overpowered by violent irruptions of foreign force or domeſtic uſurpation; the generous ſpirit of the people has ever ſeized the firſt opportunity of re-eſtabliſhing the ancient government and conſtitution. Though in the ſtyle of the laws, and in the uſual forms of adminiſtration, royal authority may be repreſented as ſacred and ſupreme; whatever is eſſential to the exerciſe of ſovereign and legiſlative power, muſt ſtill be regarded as equally divine and inviolable. Or, if any diſtinction be made in this reſpect, the preference is ſurely due to thoſe national councils, by whoſe interpoſition the exorbitancies of tyrannical power are reſtrained, and that ſacred liberty is preſerved, which heroic ſpirits, in all ages, have deemed more precious than life itſelf. Nor is it ſufficient to ſay, that the mild and equitable adminiſtration of James, affords little occaſion, or no occaſion of complaint. How moderate ſoever the exerciſe of his prerogative, how exact ſoever his obſervance of the laws and conſtitution; "If he founds his "authority on arbitrary and dangerous principles, it is requiſite to watch "him with the ſame care, and to oppoſe him with the ſame vigour, as "if he had indulged himſelf in all the exceſſes of cruelty and tyranny."

AMIDST theſe diſputes, the wiſe and moderate in the nation endeavoured to preſerve, as much as poſſible, an equitable neutrality between the oppoſite parties; and the more they reflected on the courſe of public affairs, the greater difficulty they found in fixing juſt ſentiments with regard to them. On the one hand, they regarded the very riſe of parties as a happy prognoſtic of the eſtabliſhment of liberty; nor could they ever expect to enjoy, in a mixed government, ſo invaluable a bleſſing, without ſuffering that inconvenience, which, in ſuch governments, has ever attended it. But

when they considered, on the other hand, the necessary aims and pursuits of both parties, they were struck with apprehension of the consequences, and could discover no feasible plan of accommodation between them. From long practice, the crown was now possessed of so exorbitant a prerogative, that it was not sufficient for liberty to remain on the defensive, or endeavour to secure the little ground which was left her: It was become necessary to carry on an offensive war, and to circumscribe, within more narrow, as well as more exact bounds, the authority of the sovereign. Upon such provocation, it could not but happen that the prince, however just and moderate, would endeavour to repress his opponents; and, as he stood upon the very brink of arbitrary power, it was to be feared that he would, hastily and unknowingly, pass those limits, which were not precisely marked by the constitution. The turbulent government of England, ever fluctuating between privilege and prerogative, would afford a variety of precedents, which might be pleaded on both sides. In such delicate questions, the people must be divided: The arms of the state were still in their hands: A civil war must ensue; a civil war, where no party or both parties would justly bear the blame, and where the good and virtuous would scarcely know what vows to form; were it not that liberty, so necessary to the perfection of human society, would be sufficient to bias their affections towards the side of its defenders.

CHAP. XLIX.

Negociations with regard to the marriage and the Palatinate——Character of Buckingham——Prince's journey to Spain——Marriage treaty broken——A parliament——Return of Bristol——Rupture with Spain——Treaty with France——Mansfeldt's expedition——Death of the king——His character.

1622. Negociations with regard to the marriage and the Palatinate.

TO wrest the Palatinate from the hands of the emperor and the duke of Bavaria, must always have been regarded as a difficult task for the power of England, conducted by so unwarlike a prince as James: It was plainly impossible while the breach subsisted between him and the commons. The king's negociations, therefore, had they been managed with ever so great dexterity, must now carry less weight with them; and it was easy to elude all his applications. When lord Digby,

his ambaſſador to the emperor, had deſired a ceſſation of hoſtilities, he was referred to the duke of Bavaria, who commanded the Auſtrian armies. The duke of Bavaria told him, that it was entirely ſuperfluous to form any treaty for that purpoſe. *Hoſtilities are already ceaſed*, ſaid he; *and I doubt not but I ſhall be able to prevent their revival by keeping firm poſſeſſion of the Palatinate, till a final agreement ſhall be concluded between the contending parties* [b]. Notwithſtanding this inſult, James endeavoured to reſume with the emperor a treaty of accommodation; and he opened the negociations at Bruſſels, under the mediation of Archduke Albert; and, after his death, which happened about this time, under that of the Infanta: When the conferences were entered upon, it was found, that the powers of theſe princes to determine in the controverſy were not ſufficient or ſatisfactory. Schwartzenbourg, the imperial miniſter, was expected at London; and it was hoped that he would bring more ample authority: His commiſſion referred entirely to the negociation at Bruſſels. It was not difficult for the king to perceive that his applications were neglected by the emperor; but as he had no choice of any other expedient, and it ſeemed the intereſt of his ſon-in-law to keep alive his pretenſions, he was ſtill content to follow Ferdinand through all his ſhifts and evaſions. Nor was he entirely diſcouraged, even when the Imperial diet at Ratiſbon, by the influence, or authority of the emperor, though contrary to the proteſtation of Saxony and of all the proteſtant princes and cities, had transferred the electoral dignity from the Palatine to the duke of Bavaria.

MEANWHILE, the efforts made by Frederic, for the recovery of his dominions were vigorous Three armies were levied in Germany by his authority, under three commanders, duke Chriſtian of Brunſwick, the prince of Baden-Dourlach, and count Mansfeldt. The two former generals were defeated by count Tilly and the Imperialiſts: The third, though much inferior in force to his enemies, ſtill maintained the war; but with no equal ſupplies of money either from the Palatine or the king of England. It was chiefly by pillage and free quarters in the Palatinate, that he ſubſiſted his army. As the Auſtrians were regularly paid, they were kept in more exact diſcipline; and James juſtly became apprehenſive, leſt ſo unequal a conteſt, beſides ravaging the Palatine's hereditary dominions, would end in the total alienation of the people's affections from their ancient ſovereign, by whom they were plundered, and in an attachment to their new maſters, by whom they were protected [c]. He perſuaded therefore his ſon-in-law to diſarm, under colour of duty and ſubmiſſion to the emperor: And accordingly, Mansfeldt was diſmiſſed from the Palatine's ſervice; and that famous general withdrew

[b] Franklyn. p 57. Ruſhworth, vol. i. p. 38. [c] Parl. Hiſt. vol. v. p. 484.

his army into the Low Countries, and there received a commiſſion from the States of the United Provinces.

To ſhew how little account was made of James's negociations abroad, there is a pleaſantry mentioned by all hiſtorians, which, for that reaſon, ſhall have place here. In a farce, acted at Bruſſels, a courier was introduced carrying the doleful news that the Palatinate would ſoon be wreſted from the houſe of Auſtria; ſo powerful were the ſuccours, which, from all quarters, were haſtening to the relief of the deſpoiled elector: The king of Denmark had agreed to contribute to his aſſiſtance a hundred thouſand pickled herrings, the Dutch a hundred thouſand butter-boxes, and the king of England a hundred thouſand ambaſſadors. On other occaſions, he was painted with a ſcabbard, but without a ſword; or with a ſword which nobody could draw, though ſeveral were pulling at it [d].

IT was not from his negociations with the emperor or the duke of Bavaria, that James expected any ſucceſs in his project of reſtoring the Palatine: His eyes were entirely turned towards Spain; and if he could effect his ſon's marriage with the Infanta, he doubted not but that, after ſo intimate a conjunction, this other point could eaſily be obtained. The negociations of that court being commonly dilatory, it was not eaſy for a prince of ſo little penetration in buſineſs, to diſtinguiſh, whether the difficulties, which occurred, were real or affected; and he was ſurprized, after negociating five years on ſo ſimple a demand, that he was not more advanced than at the beginning. A diſpenſation from Rome was requiſite for the marriage of the Infanta with a proteſtant prince; and the king of Spain, having undertaken to procure that diſpenſation, had thereby acquired the means of retarding at pleaſure, or of forwarding the marriage, and at the ſame time of concealing entirely his artifices from the court of England.

IN order to remove all obſtacles, James diſpatched Digby, ſoon after created earl of Briſtol, as his ambaſſador to Philip IV. who had lately ſucceeded his father in the crown of Spain. He ſecretly employed Gage as his agent at Rome; and finding that the difference of religion was the principal, if not the ſole difficulty, which retarded the marriage, he reſolved to ſoften that objection as much as poſſible. He iſſued public orders for diſcharging all popiſh recuſants who were impriſoned; and it was daily apprehended, that he would forbid, for the future, the execution of the penal laws enacted againſt them. For this ſtep, ſo oppoſite to the rigid ſpirit of his ſubjects, he took care to apologize; and he even endeavoured to aſcribe it to his great zeal for the reformed religion. He had been making applications, he ſaid, to all foreign princes for ſome indulgence to the

[d] Kennet, p. 749.

XLIX.

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diſtreſſed proteſtants; and he was ſtill anſwered by objections derived from the ſeverity of the Engliſh laws againſt catholics [e]. It might indeed occur to him, that, if the extremity of religious zeal were ever to abate among chriſtian ſects, one of them muſt begin; and nothing would be more honourable for England; than to have led the way in ſentiments ſo wiſe and moderate.

NOT only the religious puritans murmured at this tolerating meaſure of the king: The lovers of civil liberty were alarmed at ſo important an exertion of prerogative. But, among other dangerous articles of authority, the kings of England were at that time poſſeſſed of the diſpenſing power; at leaſt, were in the conſtant practice of exerciſing it. Beſides, though the royal prerogative in civil matters was then extenſive, the princes, during ſome late reigns, had been accuſtomed to aſſume a ſtill greater in eccleſiaſtical. And the king failed not to repreſent the toleration of catholics as a meaſure entirely of that nature.

BY James's conceſſion in favour of the catholics, he attained his end. The ſame religious motives which had hitherto rendered the court of Madrid inſincere in all the ſteps taken with regard to the marriage, were now the chief cauſe of promoting it. By its means, it was there hoped, the Engliſh catholics would for the future enjoy eaſe and indulgence; and the Infanta would be the happy inſtrument of procuring to the church ſome tranquillity, after the many ſevere perſecutions which it had hitherto undergone. The earl of Briſtol, a miniſter of vigilance and penetration, and who had formerly oppoſed all alliance with catholics [f], was now fully convinced of the ſincerity of Spain; and he was ready to congratulate the king on the entire completion of his views and projects [g]. A daughter of Spain whom he repreſents as extremely accompliſhed, would ſoon, he ſaid, arrive in England, and bring with her an immenſe fortune of two millions of pieces of eight, or 600,000 pounds ſterling; a ſum four times greater than Spain had ever before given with any princeſs, and almoſt equal to all the money, which the parliament, during the whole courſe of this reign, had hitherto granted to the king. But what was of more importance to James's honour and happineſs, Briſtol conſidered this match as an infallible prognoſtic of the Palatine's reſtoration; nor would Philip, he thought, ever have beſtowed his ſiſter and ſo large a fortune, under the proſpect of entering next day into a war with England. So exact was his intelligence, that the moſt ſecret counſels of the Spaniards, he boaſts, had never eſcaped him [h]; and he found that they had all along conſidered the marriage of the Infanta and the reſtitution of the Palatinate as meaſures cloſe-

[e] Franklyn, p. 69. Ruſhworth, vol. i. p. 63. [f] Ruſhworth, vol. i. p. 292.
[g] Ibid. p. 69. [h] Ruſhworth, vol. i. p. 272.

ly connected, or altogether inſeparable [i]. However little calculated James's character to extort ſo vaſt a conceſſion; however improper the meaſures which he had purſued for attaining that end; the ambaſſador could not withſtand the plain evidence of facts, by which Philip now demonſtrated his ſincerity. Perhaps too, like a wiſe man, he conſidered, that reaſons of ſtate, which are ſuppoſed ſolely to influence the councils of monarchs, are not always the motives which there predominate; that the milder views of gratitude, honour, friendſhip, generoſity, are frequently able, among princes as well as private perſons, to counterbalance theſe ſelfiſh conſiderations; that the juſtice and moderation of James had been ſo conſpicuous in all theſe tranſactions, his reliance on Spain, his confidence in her friendſhip, that he had at laſt obtained the cordial alliance of that nation, ſo celebrated for honour and fidelity. Or if politics muſt ſtill be ſuppoſed the ruling motive of all public meaſures, the maritime power of England was ſo conſiderable, and the Spaniſh dominions ſo divided, as might well induce the council of Philip to think, that a ſincere friendſhip with the maſters of the ſea could not be purchaſed by too great conceſſions [k]. And as James, during ſo many years, had been allured and ſeduced by hopes and proteſtations, his people enraged by delays and diſappointments; it would probably occur, that there was now no medium left between the moſt inveterate hatred and the moſt intimate alliance between the nations. Not to mention, that, as a new ſpirit began about this time to animate the councils of France, the friendſhip of England became every day more neceſſary to the greatneſs and ſecurity of the Spaniſh monarch.

ALL meaſures being, therefore, agreed on between the parties, naught was wanting but the diſpenſation from Rome, which might be conſidered as a mere formality [l]. The king juſtified by ſucceſs, now exulted in his pacific counſels, and boaſted of his ſuperior ſagacity and penetration; when all theſe flattering proſpects were blaſted by the temerity of a man, whom he had fondly exalted from a private condition, to be the bane of himſelf, of his family, and of his people.

1622. Character of Buckingham.

EVER ſince the fall of Somerſet, Buckingham had governed, with an uncontrouled ſway, both the court and nation; and could James's eyes have been opened, he had now full opportunity of obſerving how unfit his favourite was for the high ſtation to which he was raiſed. Some accompliſhments of a courtier he poſſeſſed; Of every talent of a miniſter he was utterly deſ-

i We find by private letters between Philip IV. and the Conde Olivarez, ſhown by the latter to Buckingham, that the marriage and the reſtitution of the Palatinate were always conſidered by the court of Spain as inſeparable. See Franklyn, p. 71, 72. Ruſhworth, vol. i. p. 71. 280. 299, 300 Parl. Hiſt. vol. vi. p. 66. k Franklyn, p. 72. l Ruſhworth, vol. i. p. 66.

titute. Headſtrong in his paſſions, and incapable equally of prudence and of diſſimulation: Sincere from violence rather than candour; expenſive from profuſion more than generoſity: A warm friend, a furious enemy; but without any choice or diſcernment in either: With theſe qualities he had early and quickly mounted to the higheſt rank; and partook at once of the inſolence which attends a fortune newly acquired, and the impetuoſity which belongs to perſons born in high ſtations, and unacquainted with oppoſition.

AMONG thoſe who had experienced the arrogance of this overgrown favourite, the prince of Wales himſelf had not been entirely ſpared; and a great coldneſs, if not an enmity, had, for that reaſon, taken place between them. Buckingham, deſirous of an opportunity, which might connect him with the prince, and overcome his averſion, and at the ſame time envious of the great credit acquired by Briſtol in the Spaniſh negociation, bethought himſelf of an expedient, by which he might at once gratify both theſe inclinations. He repreſented to Charles, that perſons of his exalted ſtation were peculiarly unfortunate in their marriage, the chief circumſtance of life; and commonly received into their arms a bride, unknown to them, to whom they were unknown; not endeared by ſympathy, not obliged by ſervice; wooed by treaties alone, by negociations, by political intereſts: That however accompliſhed the Infanta, ſhe muſt ſtill conſider herſelf as a melancholy victim of ſtate, and could not but think with averſion of that day, when ſhe was to enter the bed of a ſtranger; and, paſſing into a foreign country and a new family, bid adieu for ever to her father's houſe and to her native land: That it was in the prince's power to ſoften all theſe rigours, and lay ſuch an obligation on her, as would attach the moſt indifferent temper, as would warm the coldeſt affections: That his journey to Madrid would be an unexpected gallantry, which would equal all the fictions of Spaniſh romance, and ſuiting the amorous and enterpriſing character of that nation, muſt immediately introduce him to the princeſs under the agreeable character of a devoted lover and daring adventurer: That the negociations with regard to the Palatinate, which had hitherto languiſhed in the hands of miniſters, would quickly be terminated by ſo illuſtrious an agent, ſeconded by the mediation and intreaties of the grateful Infanta: That Spaniſh generoſity, moved by that unexampled truſt and confidence, would make conceſſions beyond what could be expected from political views and conſiderations; And that he would quickly return to the king with the glory of having re-eſtabliſhed the unhappy Palatine, by the ſame enterprize, which procured him the affections and the perſon of the Spaniſh princeſs [m].

THE mind of the young prince, replete with candor, was inflamed by

[m] Clarendon, vol. i. p. 11, 12.

theſe generous and romantic ideas, ſuggeſted by Buckingham. He agreed to make application to the king for his approbation. They choſe the moment of his kindeſt and moſt jovial humour; and more by the earneſtneſs which they expreſſed, than by the force of their reaſons, they obtained a haſty and unguarded conſent to their undertaking. And having engaged his promiſe to keep their purpoſe ſecret, they left him, in order to make preparations for the journey.

No ſooner was the king alone, than his temper, more cautious than ſanguine, ſuggeſted very different views of the matter, and repreſented every difficulty and danger, which could occur. He reflected, that, however the world might pardon this ſally of youth in the prince, they would never forgive himſelf, who, at his years, and after his experience, could entruſt his only ſon, the heir of his crown, the prop of his age, to the diſcretion of foreigners, without ſo much as providing the frail ſecurity of a ſafe-conduct in his favour: That if the Spaniſh monarch were ſincere in his profeſſions, a few months muſt finiſh the treaty of marriage, and bring the Infanta into England; if he were not ſincere, the folly was ſtill more egregious of committing the prince into his hands: That Philip, when poſſeſſed of ſo invaluable a pledge, might well riſe in his demands, and impoſe harder conditions of treaty: And that the temerity of the enterprize was ſo apparent, that the event, how proſperous ſoever, could not juſtify it; and if diſaſtrous, it would render himſelf infamous to his people, and ridiculous to all poſterity [n].

TORMENTED with theſe reflections, as ſoon as the prince and Buckingham returned for their diſpatches, he informed them of all the reaſons which had determined him to change his reſolution; and he begged them to deſiſt from ſo fooliſh an adventure. The prince received the diſappointment with ſorrowful ſubmiſſion and ſilent tears: Buckingham preſumed to ſpeak in an imperious tone, which he had ever experienced to be prevalent over his too eaſy maſter. He told the king, that nobody for the future would believe any thing he ſaid, when he retracted ſo ſoon the promiſe ſo ſolemnly given; that he plainly diſcerned this change of reſolution to proceed from another breach of his word, in communicating the matter to ſome raſcal, who had furniſhed him with thoſe pitiful reaſons which he had alleged, and he doubted not but he ſhould hereafter know who his counſellor had been; and that if he receded from what he had promiſed, it would be ſuch a diſobligation to the prince, who had now ſet his heart upon the journey, after his majeſty's approbation, that he could never forget it, nor forgive any man who had been the cauſe of it [o].

THE king, with great earneſtneſs, fortified by many oaths, made his

[n] Clarendon, vol. i. p. 14. [o] Ibid. vol. i. p. 16,

apology, by denying that he had communicated the matter to any; and finding himself assailed, as well by the boisterous importunities of Buckingham, as by the warm intreaties of his son, whose applications had hitherto, on other occasions, been always dutiful, never earnest; he had again the weakness to assent to their purposed journey. It was agreed that Sir Francis Cottington alone, the prince's secretary, and Endymion Porter, gentleman of his bed-chamber, should accompany them; and the former being at that time in the anti-chamber, he was immediately called in by the king's orders.

JAMES told Cottington, that he had always been an honest man, and therefore he was now to trust him in an affair of the highest importance, which he was not, upon his life, to disclose to any man whatever. "Cottington," added he, "here is baby Charles and Stenny," (these ridiculous appellations he usually gave to the prince and Buckingham) "who have a "great mind to go post into Spain, and fetch home the Infanta: They "will have but two more in their company, and have chosen you for one. "What think you of the journey?" Sir Francis, who was a prudent man, and had resided some years in Spain as the king's agent, was struck with all the obvious objections to such an enterprize, and scrupled not to declare them. The king threw himself upon his bed, and cried, *I told you this before*; and fell into a new passion and new lamentations, complaining that he was undone, and should lose baby Charles.

THE prince showed by his countenance, that he was extremely dissatisfied with Cottington's discourse; but Buckingham broke into an open passion against him. The king, he told him, asked him only of the journey, and of the manner of travelling; particulars of which he might be a competent judge, having gone the road so often by post; but that he, without being called to it, had the presumption to give his advice upon matters of state and against his master, which he should repent as long as he lived. A thousand other reproaches he added, which put the poor king into a new agony in behalf of a servant, who, he foresaw, would suffer for answering him honestly. Upon which he said with some emotion, *Nay, by God, Stenny, you are much to blame for using him so: He answered me directly to the question which I asked him, and very honestly and wisely; and yet, you know, he said no more than I told you before he was called in.* However, after all this passion on both sides, James renewed his consent; and proper directions were given for the journey. Nor was he now at any loss to discover, that the whole intrigue was originally contrived by Buckingham, as well as pursued violently by his spirit and impetuosity.

THESE circumstances, which so well characterise the persons, seem to have been related by Cottington to Lord Clarendon, from whom they are here transcribed; and though minute, are not undeserving of a place in history.

THE prince and Buckingham, with their two attendants, and Sir Richard Graham, maſter of horſe to the duke of Buckingham, paſſed diſguiſed and undiſcovered through France; and they even ventured into a court-ball at Paris, where Charles ſaw the princeſs Henrietta, whom he afterwards eſpouſed, and who was at that time in the bloom of youth and beauty. In eleven days after their departure from London, they arrived at Madrid; and ſurpriſed every body by a ſtep ſo unuſual among great princes. The Spaniſh monarch immediately paid Charles a viſit, expreſſed the utmoſt gratitude for the confidence repoſed in him, and made warm proteſtations of a correſpondent confidence and friendſhip. By the moſt ſtudied civilities, he ſhowed the reſpect which he bore to his royal gueſt. He gave him a golden key, which opened all his apartments, that the prince might, without any introduction, have acceſs to him at all hours: He took the left hand of him on every occaſion, except in the apartments aſſigned to Charles; for there, he ſaid, the prince was at home: Charles was introduced into the palace with the ſame pomp and ceremony that attends the kings of Spain on their coronation: The council received public orders to obey him as the king himſelf: Olivarez, too, though a grandee of Spain, who has the right of being covered before his own king, would not put on his hat in the prince's preſence [p]: All the priſons of Spain were thrown open, and all the priſoners received their freedom, as if the event, the moſt honourable and moſt fortunate, had happened to the monarchy [q]. And every ſumptuary law with regard to apparel was ſuſpended during Charles's reſidence in Spain. The Infanta, however, was only ſhown to her lover in public; the Spaniſh ideas of decency being ſo ſtrict, as not to allow of any farther intercourſe, till the arrival of the diſpenſation [r].

1623. 17 March. The prince's journey to Spain.

THE point of honour was carried ſo far by that generous people, that no attempt was made, on account of the advantage which they had acquired, of impoſing any harder conditions of treaty: Their pious zeal only prompted them, on one occaſion, to deſire more conceſſions in the religious articles; but upon the oppoſition of Briſtol, accompanied with ſome reproaches, they immediately deſiſted. The Pope, however, hearing of the prince's arrival in Madrid, tacked ſome new clauſes to the diſpenſation [s]; and it became neceſſary to tranſmit the articles to London, that the king might ratify them. This treaty which was made public, conſiſted of ſeveral articles, chiefly regarding the exerciſe of the catholic religion by the Infanta and her houſehold. Nothing could re-

[p] Franklyn, p. 73. [q] Idem, p. 74. [r] Rushworth, vol. i. p. 77.
[s] Idem, vol. i. p. 84.

ſonably be found fault with, except one article in which the king promiſed, that the children ſhould be educated by the princeſs, till ten years of age. This condition could not be inſiſted on, but with a view of ſeaſoning their minds with catholic principles; and though ſo tender an age ſeemed a ſufficient ſecurity againſt theological prejudices, yet the ſame reaſon which made the pope inſert that article, ſhould have induced the king to reject it.

BESIDES the public treaty there were ſeparate articles, privately ſworn to by the king; in which he promiſed to ſuſpend the penal laws enacted againſt the catholics, to procure a repeal of them in parliament, and to grant a toleration for the exerciſe of the catholic religion in private houſes [t]. Great murmurs, we may believe, would have ariſen againſt theſe articles, had they been made known to the public; ſince we find it to have been imputed as an enormous crime to the prince, that, having received, about this time, a very civil letter from the pope, he was induced to return a very civil anſwer [u].

MEANWHILE Gregory XV. who granted the diſpenſation, died; and Urban VIII. was choſen in his place. Upon this event, the nuncio refuſed to deliver the diſpenſation, till it ſhould be renewed by Urban; and that crafty pontiff delayed ſending a new diſpenſation, in hopes, that, during the prince's reſidence in Spain, ſome expedient might be fallen upon to effect his converſion. The king of England, as well as the prince, became impatient. On the firſt hint, Charles obtained permiſſion to return; and Philip graced his departure with all the circumſtances of elaborate civility and reſpect, which had attended his reception. He even erected a pillar on the ſpot where they took leave of each other, as a monument of mutual friendſhip; and the prince, having ſworn to the obſervance of all the articles, entered on his journey, and embarked on board the Engliſh fleet at St. Andero.

THE character of Charles, compoſed of decency, reſerve, modeſty, ſobriety; virtues ſo agreeable to the manners of the Spaniards; the unparalleled confidence, which he had repoſed in their nation; the romantic gallantry, which he had practiſed towards the princeſs; all theſe circumſtances, joined to his youth and advantageous figure, had endeared him to the whole court of Madrid, and had impreſſed the moſt favourable ideas of him [x]. But, in the ſame proportion, that the prince was beloved and eſteemed, was Buckingham deſpiſed and hated. His behaviour compoſed of Engliſh familiarity, and French vivacity; his ſallies of paſ-

[t] Franklyn, p. 80 Ruſhworth, vol. i. p. 89. Kennet, p. 769. [u] Ruſhworth, vol i. p. 82. Franklyn, p. 77. [x] Ibid. p. 80. Ruſhworth, vol. i. p. 103.

ſion, his indecent freedoms with the prince, his diſſolute pleaſures, his arrogant, impetuous temper, which he neither could, nor cared to diſguiſe; qualities like theſe, could, moſt of them, be eſteemed no where, but to the Spaniards were the objects of peculiar averſion [y]. They could not conceal their ſurprize, that ſuch a youth could intrude into a negociation, now conducted to a period, by ſo accompliſhed a miniſter as Briſtol, and could aſſume to himſelf all the merit of it. They lamented the Infanta's fate, who muſt be approached by a man, whoſe temerity ſeemed to reſpect no laws divine or human [z]. And when they obſerved, that he had the imprudence to inſult the Condé duke of Olivarez, their prime miniſter, every one who was ambitious of paying court to the Spaniſh, became deſirous of ſhowing a contempt for the Engliſh favourite.

THE duke of Buckingham told Olivarez, that his own attachment to the Spaniſh nation, and to the king of Spain was extreme, that he would contribute to every meaſure, which could cement the friendſhip between England and them; and that his peculiar ambition would be to facilitate the prince's marriage with the Infanta. But, he added, with a ſincerity, equally inſolent and indiſcreet, *With regard to you, Sir, in particular, you muſt not conſider me as your friend, but muſt ever expect from me all poſſible enmity and oppoſition.* The Condé duke replied with a becoming dignity, that he very willingly accepted of what was proffered him: And on theſe terms the favourites parted [a].

BUCKINGHAM, ſenſible how odious he was become to the Spaniards, and dreading the influence which that nation would naturally acquire after the arrival of the Infanta, reſolved to employ all his credit in order to prevent the marriage. By what arguments he could engage the prince to offer ſuch an inſult to the Spaniſh nation, from whom he had met with ſuch generous treatment, by what colours he could diſguiſe the ingratitude and imprudence of ſuch a meaſure; theſe are totally unknown to us. We may only conjecture, that the many unavoidable cauſes of delay, which had ſo long prevented the arrival of the diſpenſation, had afforded to Buckingham a pretence for throwing on the Spaniards the imputation of inſincerity in the whole treaty. It alſo appears, that his impetuous and domineering character had acquired, what it ever after maintained, a total aſcendant over the gentle and modeſt temper of Charles; and when the prince left Madrid, he was firmly determined, notwithſtanding all his profeſſions, to break off the treaty with Spain.

IT is not likely that Buckingham prevailed ſo eaſily with James to abandon a project, which, during ſo many years, had been the object of

[y] Ruſhworth, vol. i. p. 101.
[z] Clarendon, vol i. p. 36.
[a] Ruſhworth, vol. i. p. 102. Clarendon, vol. i. p. 37.

all his wiſhes, and which he had now unexpectedly conducted to a happy period [b]. A rupture with Spain, the loſs of two millions, were proſpects little agreeable to this pacific and indigent monarch. But, finding his only ſon bent againſt a match, which had always been oppoſed by his people and his parliament, he yielded to difficulties which he had not courage or ſtrength of mind ſufficient to overcome. The prince therefore, and Buckingham, on their arrival at London, aſſumed entirely the direction of the negociation; and it was their buſineſs to ſeek for pretences, by which they could give a colour to their intended breach of treaty.

THOUGH the reſtitution of the Palatinate had ever been conſidered by James as a natural or neceſſary conſequence of the Spaniſh alliance, he had always forbidden his miniſters to inſiſt on it as a preliminary article to the concluſion of the marriage treaty. He conſidered that this principality was now in the hands of the emperor and the duke of Bavaria; and that it was no longer in the king of Spain's power, by a ſingle ſtroke of his pen, to reſtore it to its ancient maſter. The ſtrict alliance of Spain with theſe princes would engage Philip, he thought, to ſoften ſo diſagreeable a demand by every art of negociation; and many articles muſt of neceſſity be adjuſted, before ſuch an important point could be effected. It was ſufficient, in James's opinion, if the ſincerity of the Spaniſh court, could, for the preſent, be aſcertained; and, dreading farther delays of the marriage, ſo long wiſhed for, he was reſolved to truſt the Palatine's full reſtoration to the event of future counſels and deliberations [c].

THIS whole ſyſtem of negociation Buckingham now reverſed; and he overturned every ſuppoſition upon which the treaty had hitherto been conducted. After many fruitleſs artifices were employed to delay or prevent the eſpouſals, Briſtol received poſitive orders not to deliver the proxy, which had been left in his hands, or to finiſh the marriage, till ſecurity were given for the full reſtitution of the Palatinate [d]. Philip underſtood this language. He had been acquainted with the diſguſt received by Buckingham; and deeming him a man capable of ſacrificing, to his own ungovernable paſſions, the greateſt intereſts of his maſter and of his country, he had expected, that the unbounded credit of that favourite would be employed to embroil the two nations. Determined, however, to throw the blame of the rupture entirely on the Engliſh, he delivered into Briſtol's hand a written promiſe, by which he bound himſelf to procure the reſtoration of the Palatine, either by perſuaſion, or by every other poſſible means; and, when he found that this conceſſion gave no ſatisfaction, he ordered the Infanta to lay

1623. Marriage treaty broken.

[b] Hacket's life of Williams.

Parl. Hiſt. vol. vi. p. 57. [d] Ruſhworth, vol. i. p. 105. Kennet, p. 776.

aſide the title of princeſs of Wales, which ſhe bore after the arrival of the diſpenſation from Rome, and to drop the ſtudy of the Engliſh language [e]. And thinking that ſuch raſh counſels, as now governed the court of England, would not ſtop at the breach of the marriage treaty, he ordered preparations for war immediately to be made throughout all his dominions [f].

THUS James, having, by means inexplicable from the ordinary rules of politics, conducted ſo near an honourable period, the marriage of his ſon, and the reſtoration of his ſon-in-law, failed at laſt of his purpoſe, by means equally unaccountable.

BUT, though the expedients, already uſed by Buckingham, were ſufficiently inglorious, both for himſelf and for the nation; it was neceſſary for him, ere he could fully effect his purpoſe, to employ artifices ſtill more diſhonourable.

1624. THE king, having broken with Spain, was obliged to concert new meaſures; and, without the aſſiſtance of parliament, no effectual ſtep of any kind could be taken. The benevolence, which, during the interval, had been rigorouſly exacted for recovering the Palatinate, though levied for ſo popular an end, had procured to the king leſs money than ill-will from his ſubjects. [g] Whatever diſcouragements, therefore, he might receive from his ill agreement with former parliaments,

A parliament. there was a neceſſity of ſummoning once more this aſſembly: And, it might be hoped, that the Spaniſh alliance, which gave ſuch umbrage, being abandoned, the commons would now be better ſatisfied with the king's adminiſtration. In his ſpeech to the houſes,

27th Feb. James dropped ſome hints of his cauſes of complaint againſt Spain; and he graciouſly condeſcended to aſk the advice of parliament, which he had ever before rejected, with regard to the conduct of ſo important an affair as his ſon's marriage [h]. Buckingham delivered, to a committee of lords and commons, a long narrative, which he pretended to be true and complete, of every ſtep taken in the negociations with Philip: But partly by the ſuppreſſion of ſome facts, partly by the falſe colouring laid on others, this narrative was calculated entirely to miſlead the parliament, and to throw on the court of Spain the reproach of artifice and inſincerity. He ſaid, that, after many years negociation, the king found

[e] Franklyn, p. 80. Ruſhworth, vol. i. p. 112.

[f] Ruſhworth, vol. i. p. 114. [g] To ſhow by what violent meaſures benevolences were uſually raiſed, Johnſtone tells us, in his *Rerum Britannicarum hiſtoria*, that Barnes, a citizen of London, was the firſt who refuſed to contribute any thing; upon which the treaſurer ſent him word, that he muſt immediately prepare himſelf to carry, by poſt, a diſpatch into Ireland. The citizen was glad to make his peace, by paying a hundred pounds; and no one durſt afterwards refuſe the benevolence required. See farther, Coke, p. 80. [h] Franklyn, p. 79. Ruſhworth, vol. i. p. 115. Kennet, p. 778.

not himſelf any nearer his purpoſe; and that Briſtol had never brought the treaty beyond profeſſions and general declarations: That the prince, doubting the good intentions of Spain, reſolved at laſt to take a journey to Madrid, and put the matter to the utmoſt trial: That he there found ſuch artificial dealing as made him conclude all the ſteps taken towards the marriage to be falſe and deceitful: That the reſtitution of the palatinate, which had ever been regarded by the king as an eſſential preliminary, was not ſeriouſly intended by Spain: And that, after enduring much bad uſage, the prince was obliged to return to England, without any hopes, either of obtaining the Infanta, or of reſtoring the Elector Palatine [h].

THIS narrative, which conſidering the importance of the occaſion, and the ſolemnity of that aſſembly to which it was delivered, deſerves great blame, was yet vouched for truth by the prince of Wales, who was preſent; and the king himſelf lent it, indirectly, his authority, by telling the parliament that it was by his orders Buckingham laid the whole affair before them. The conduct of theſe princes it is difficult fully to excuſe. It is in vain to plead the youth and inexperience of Charles; unleſs his inexperience and youth, as is probable [i], if not certain, really led him into error, and made him ſwallow all the falſities of Buckingham. And though the king was here hurried from his own meaſures by the impetuoſity of others; nothing ſhould have induced him to proſtitute his character, and ſeem to vouch the impoſtures, at leaſt falſe colourings, of his favourite, of which he had ſo good reaſon to entertain a ſuſpicion [k].

BUCKINGHAM'S narrative, however artfully diſguiſed, contained ſo many contradictory circumſtances, as were ſufficient to open the eyes of all reaſonable men; but it concurred ſo well with the paſſions and prejudices of the parliament, that no ſcruple was made of immediately adopting it [l]. Charmed with having obtained at length the opportunity ſo long wiſhed for, of going to war with papiſts, they little thought of future conſequences; but immediately adviſed the king to break off both treaties with Spain, as well that which regarded the marriage, as that for the reſtitution of the Palatinate [m]. The people, ever greedy of war, till they ſuffer by it, diſplayed their triumph at theſe violent meaſures by public bonfires and rejoicings, and by inſults on the Spaniſh miniſters. Buckingham was now the favourite of the public, and of the parliament. Sir Edward

[h] Franklyn, p. 89, 90, 91, &c. Ruſhworth, vol. i. p. 119, 120. &c. Parl. Hiſt. vol. vi. p. 20, 21, &c. [i] See note [M] at the end of the volume.

[k] It muſt, however, be confeſſed, that the king afterwards warned the houſe not to take Buckingham's narrative for his, though it was laid before them by his order. Parl. Hiſt. vol. vi. p. 104. James was probably aſhamed to have been carried ſo far by his favourite.

[l] Parl Hiſt. vol. vi. p. 75. [m] Franklyn, p. 98. Ruſhworth, vol. i. p. 128. Parl. Hiſt. vol. vi. p. 103.

Coke in the houſe of commons, called him the Saviour of the nation [n]. Every place reſounded with his praiſes. And he himſelf, intoxicated by a popularity which he enjoyed ſo little time, and which he ſo ill deſerved, violated all duty to his indulgent maſter, and entered into cabals with the puritanical members, who had ever oppoſed the royal authority. He even encouraged ſchemes for aboliſhing the order of biſhops, and ſelling the dean and chapter lands, in order to defray the expences of a Spaniſh war. And the king, though he ſtill entertained projects for temporizing, and for forming an accommodation with Spain, was ſo borne down by the torrent of po ular prejudices, conducted and encreaſed by Buckingham, that he was at laſt obliged, in a ſpeech to parliament to declare in favour of hoſtile meaſures, if they would engage to ſupport him [o]. Doubts of their ſincerity in this reſpect; doubts which the event ſhowed not to be ill grounded; had probably been one cauſe of his former pacific and dilatory meaſures.

IN his ſpeech on this occaſion, the king began with lamenting his own unhappineſs, that, having ſo long valued himſelf on the epithet of the pacific monarch, he ſhould now, in his old age, be obliged to exchange the bleſſings of peace for the inevitable calamities of war. He repreſented to them the immenſe and continued expence requiſite for military armaments; and beſides ſupplies from time to time, as they ſhould become neceſſary, he demanded a vote of ſix ſubſidies and twelve fifteenths, as a proper ſtock before the commencement of hoſtilities. He told them of his intolerable debts, chiefly contracted by the ſums remitted to the Palatine [p]; but he added, that he did not inſiſt on any ſupply for his own relief, and that it was ſufficient for him, if the honour and ſecurity of the public were provided for. To remove all ſuſpicion, he, who had ever ſtrenuouſly maintained his prerogative and who had even extended it into ſome points eſteemed doubtful, now made an imprudent conceſſion, of which the conſequences might have proved fatal to royal authority; He voluntarily offered, that the money voted ſhould be paid to a committee of parliament, and ſhould be iſſued by them, without being intruſted to his management [q]. The commons willingly accepted of this conceſſion, ſo unuſual in an Engliſh monarch; they voted him only three ſubſidies and three fifteenths [r]: and they took no notice of the complaints which he made of his own wants and neceſſities.

ADVANTAGE was alſo taken of the preſent good agreement between the king and parliament, in order to paſs the bill againſt monopolies, which had formerly been encouraged by the king, but which had failed

[n] Clarendon, vol. i. p. 6. [o] Franklyn, p 94, 74. Ruſhworth. vol. 2. p 229, 230.
[p] See note (N) at the end of the volume. [q] Ruſhworth, vol. i. p. 137.
[r] Leſs than 300,000 pounds.

by the rupture between him and the laſt houſe of commons. This bill was conceived in ſuch terms as to render it merely declaratory; and all monopolies were condemned as contrary to law and to the known liberties of the people. It was there ſuppoſed, that every ſubject of England had entire power to diſpoſe of his own actions, provided he did no injury to any of his fellow-ſubjects; and that no prerogative of the king, power of any magiſtrate, nothing but the authority alone of laws, could reſtrain that unlimited freedom. The full proſecution of this noble principle into all its natural conſequences, has at laſt, through many conteſts, produced that ſingular and happy government which we enjoy at preſent [s].

THE houſe of commons alſo corroborated, by a new precedent, the important power of impeachment which, two years before, they had exerciſed in the caſe of chancellor Bacon, and which had lain dormant for near two centuries, except when they ſerved as inſtruments of royal vengeance. The earl of Middleſex had been raiſed, by Buckingham's intereſt, from the rank of a London merchant, to be treaſurer of England; and by his activity and addreſs, ſeemed not unworthy of that preferment. But, as he incurred the diſpleaſure of his patron, by ſcrupling or refuſing ſome demands of money, during the prince's reſidence in Spain, that favourite vowed revenge, and employed all his credit among the commons to procure an impeachment of the treaſurer. The king was extremely diſſatisfied with this meaſure, aud propheſied to the prince and duke, that they would live to have their fill of parliamentary proſecution [t]. In a ſpeech to the parliament, he endeavoured to apologize for Middleſex, and to ſoften the accuſation againſt him [u]. The charge however was ſtill maintained by the commons; and the treaſurer was found guilty by the peers, though the miſdemeanours proved againſt him were neither numerous nor important. The accepting of two preſents of five hundred pounds a-piece, for paſſing two patents, was the article of greateſt weight. His ſentence was, to be fined 50,000 pounds for the king's uſe, and to ſuffer all the other penalties formerly inflicted upon Bacon. The fine was afterwards remitted by the prince when he mounted the throne.

THIS ſeſſion an addreſs was alſo made, very diſagreeable to the king, craving the ſevere execution of the laws againſt catholics. His anſwer was gracious and condeſcending [w]; though he declared againſt perſecution as being an improper meaſure for the ſuppreſſion of any religion, according to the received maxim, *That the blood of the martyrs was the ſeed of the church.* He alſo condemned an entire indulgence of the catholics; and ſeemed to repreſent a middle courſe, as the moſt humane and moſt politic. He went

[s] See note [O] at the end of the volume.

[t] Clarendon, vol. i. p. 23. [u] Parl. Hiſt. vol. vi. p. 19, [w] Franklyn, p. 101, 102.

ſo far as even to affirm, with an oath, that he never had entertained any thoughts of granting a toleration to theſe religioniſts [x]. The liberty of exerciſing their worſhip in private houſes, which he had ſecretly agreed to in the Spaniſh treaty, did not appear to him deſerving that name; and it was probably by means of this explication, he thought that he had ſaved his honour. And as Buckingham, in his narrative [y], confeſſed, that the king had agreed to a temporary ſuſpenſion of the penal laws againſt the catholics, which he diſtinguiſhed from a toleration, a term at that time extremely odious, James naturally deemed his meaning to be ſufficiently explained, and feared not any reproach of falſehood or duplicity, on account of this aſſeveration. After all theſe tranſactions, the parliament was prorogued by the king, who let fall ſome hints, though in gentle terms, of the ſenſe which he entertained of their unkindneſs, in not ſupplying his neceſſities [z].

1624. 29th May.

JAMES, unable to reſiſt ſo ſtrong a combination as that of his people, his parliament, his ſon and his favourite, had been compelled to embrace meaſures, for which, from temper as well as judgment, he had ever entertained a moſt ſettled averſion. Though he diſſembled his reſentment, he began to eſtrange himſelf from Buckingham, to whom he aſcribed all thoſe violent counſels, and whom he conſidered as the author, both of the prince's journey to Spain, and of the breach of the marriage treaty. The arrival of Briſtol he impatiently longed for; and it was by the aſſiſtance of that miniſter, whoſe wiſdom he reſpected, and whoſe views he approved, that he hoped in time to extricate himſelf from his preſent difficulties.

Return of Briſtol.

DURING the prince's abode in Spain, that able negociator had ever oppoſed, though unſucceſsfully, to the impetuous meaſures ſuggeſted by Buckingham, his own wiſe and well-tempered counſels. After Charles's departure, he ſtill, upon the firſt appearance of a change of reſolution, interpoſed his advice, and ſtrenuouſly inſiſted on the ſincerity of the Spaniards in the conduct of the treaty, as well as the advantages which England muſt reap from the completion of it. Enraged to find, that his ſucceſsful labours ſhould be rendered abortive by the levities and caprices of an inſolent minion, he would underſtand no hints; and nothing but expreſs orders from his maſter could engage him to make that demand, which, he was ſenſible, muſt put a final period to the treaty. He was not therefore ſurprized to hear that Buckingham had declared himſelf his open enemy, and on all occaſions, had thrown out many violent reflections againſt him.

NOTHING could be of greater conſequence to Buckingham, than to keep Briſtol at a diſtance both from the king and the parliament; leſt the power of

[x] See farther, Franklyn, p. 87. [y] Parl. Hiſt. vol. vi. p. 37. [z] Franklyn, p. 103.

truth, enforced by ſo well informed a ſpeaker, ſhould open ſcenes, which were but ſuſpected by the former, and of which the latter had as yet entertained no manner of jealouſy. He applied therefore to James, whoſe weakneſs, diſguiſed to himſelf under the appearance of fineſſe and diſſimulation, was now become abſolutely incurable. A warrant for ſending Briſtol to the Tower was iſſued immediately upon his arrival in England [b]; and though he was ſoon releaſed from confinement, yet orders were carried to him from the king, to retire into his country ſeat, and to abſtain from all attendance in parliament. He obeyed; but loudly demanded an opportunity of juſtifying himſelf, and of laying his whole conduct before his maſter. On all occaſions he proteſted his innocence, and threw on his enemy the blame of every miſcarriage. Buckingham, and, at his inſtigation, the prince, declared, that they would be reconciled to Briſtol, if he would but acknowledge his errors and ill conduct: But the ſpirited nobleman, jealous of his honour, refuſed to buy favour at ſo high a price. James had the equity to ſay, that the inſiſting on that condition was a ſtrain of unexampled tyranny: But Buckingham ſcrupled not to aſſert, with his uſual preſumption, that neither the king, the prince, nor himſelf, were as yet ſatisfied of Briſtol's innocence [c].

WHILE the attachment of the prince to Buckingham, while the timidity of James, or the ſhame of changing his favourite kept the whole court in awe; the Spaniſh ambaſſador, Inoioſa, endeavoured to open the king's eyes, and to cure his fears, by inſtilling greater fears into him. He privately ſlipped into his hand a paper, and gave him a ſignal to read it alone. He there told him, that he was as much a priſoner at London as ever Francis I. was at Madrid; that the prince and Buckingham had conſpired together, and had the whole court at their devotion; that cabals among the popular leaders in parliament were carrying on to the extreme prejudice of his authority; that the project was to confine him to ſome of his hunting ſeats, and to commit the whole adminiſtration to Charles; and that it was neceſſary for him, by one vigorous effort, to vindicate his authority, and to puniſh thoſe who had ſo long and ſo much abuſed his friendſhip and beneficence [d].

WHAT credit James gave to his repreſentation does not appear. He only diſcovered ſome faint ſymptoms, which he inſtantly retracted, of diſſatisfaction with Buckingham. All his public meaſures, and all the alliances into which he entered, were founded on the ſyſtem of enmity to the Auſtrian family, and of war to be carried on for the recovery of the palatinate. 1624. Rupture with Spain.

THE ſtates of the United Provinces were, at this time, governed by

[b] Ruſhworth, vol. i. p. 145. [c] Id. vol. i. p. 259. [d] Ruſhworth, vol. i. p. 191. Haſket's Life of Williams, Coke, p. 107.

Maurice; and that aſpiring prince, ſenſible that his credit would languiſh during peace, had, on the expiration of the twelve years' truce, renewed the war with the Spaniſh monarchy. His great capacity in the military art would have compenſated the inferiority of his forces, had not the Spaniſh armies been commanded by Spinola, a general equally renowned for conduct, and more celebrated for enterprize and activity. In ſuch a ſituation, nothing could be more welcome to the republic than the proſpect of a rupture between James and the catholic king; and they flattered themſelves, as well from the natural union of intereſts between them and England, as from the influence of the preſent conjuncture, that powerful ſuccours would ſoon march to their relief. Accordingly, an army of ſix thouſand men was levied in England, and ſent over to Holland, commanded by four young noblemen, Eſſex, Oxford, Southampton, and Willoughby, who were ambitious of diſtinguiſhing themſelves in ſo popular a cauſe, and of acquiring military experience under ſo renowned a captain as Maurice.

1624. Treaty with France.

IT might reaſonably have been expected that, as religious zeal had made the recovery of the Palatinate appear a point of ſuch vaſt importance in England; the ſame effect muſt have been produced in France, by the force merely of political views and conſiderations. While that principality remained in the hands of the houſe of Auſtria, the French dominions were ſurrounded on all ſides by the poſſeſſions of that ambitious family, and might be invaded by ſuperior forces from every quarter. It concerned the king of France, therefore, to prevent the peaceable eſtabliſhment of the emperor in his new conqueſts; and both by the ſituation and greater power of his ſtate, he was much better enabled than James to give ſuccour to the diſtreſſed Palatine[e]. But though theſe views eſcaped not Louis, nor cardinal Richlieu, who now began to acquire an aſcendant in the French court; that miniſter was determined to pave the way for his enterprizes by firſt ſubduing the Hugonots, and thence to proceed, by mature counſels, to humble the houſe of Auſtria. The proſpect, however, of a conjunction with England was preſently embraced, and all imaginable encouragement was given to every propoſal for conciliating a marriage between Charles and the princeſs Henrietta.

NOTWITHSTANDING the ſenſible experience, which James might have acquired of the unſurmountable antipathy, entertained by his ſubjects, againſt all alliance with catholics, he ſtill perſevered in the opinion, that his ſon would be degraded by receiving into his bed a princeſs of leſs than royal extraction. After the rupture, therefore, with Spain, nothing

[e] See Collection of State Papers by the Earl of Clarendon, p. 393.

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remained but an alliance with France; And to that court he immediately applied himself[f]. The ſame allurements had not place here, which had ſo long entangled him in the Spaniſh negociation: The portion promiſed was much inferior; and the peaceable reſtoration of the Palatine could not thence be expected. But James was afraid leſt his ſon ſhould be altogether diſappointed of a bride; and therefore, as ſoon as the French king demanded, for the honour of his crown, the ſame terms which had been granted to the Spaniſh, he was prevailed with to comply. And as the prince, during his abode in Spain, had given a verbal promiſe to allow the Infanta the education of her children till the age of thirteen, this article was here inſerted in the treaty; and to that imprudence is generally imputed the preſent diſtreſſed condition of his poſterity. The court of England, however, it muſt be confeſſed, always pretended, even in their memorials to the French court, that all the favourable conditions granted to the catholics, were inſerted in the marriage treaty merely to pleaſe the pope, and that their ſtrict execution was, by an agreement with France, ſecretly diſpenſed with[g].

As much as the concluſion of the marriage treaty was acceptable to the king, as much, were all the military enterpriſes diſagreeable, both from the extreme difficulty of the undertaking in which he was engaged, and from his own incapacity for ſuch a ſcene of action.

DURING the Spaniſh negociation, Heidelberg and Manheim had been taken by the Imperial forces; and Frankendale, though the garriſon was entirely Engliſh, was cloſely beſieged by them. After reiterated remonſtrances from James, Spain interpoſed, and procured a ſuſpenſion of arms during eighteen months. But as Frankendale was the only place of Frederic's ancient dominions, which was ſtill in his hands, Ferdinand, deſirous of withdrawing his forces from the Palatinate, and of leaving that ſtate in ſecurity, was unwilling that ſo important a fortreſs ſhould remain in the poſſeſſion of the enemy. To compromiſe all differences, it was agreed to ſequeſtrate it in the hands of the Infanta as a neutral perſon; upon condition that, after the expiration of the truce, it ſhould be delivered to Frederic; though peace ſhould not, at that time, be concluded between him and Ferdinand[i]. After the unexpected rupture with Spain, the Infanta, when James demanded the execution of the treaty, offered him peaceable poſſeſſion of Frankendale, and even promiſed a ſafe-conduct for the garriſon through the Spaniſh Netherlands: But there was ſome territory of the empire interpoſed between her ſtate and the Palatinate; and for paſſage over that territory, no terms were ſtipulated[k]. By this

[f] Ruſhworth, vol. i. p. 152.
[g] See note (P) at the end of the volume.
[i] Ruſhworth, vol. i. p. 74.
[k] Idem, ibid. p. 151.

chicane, which certainly had not been employed, if amity with Spain had been preſerved, the Palatine was totally diſpoſſeſſed of his patrimonial dominions.

THE Engliſh nation, however, and James's warlike council, were not diſcouraged. It was ſtill determined to reconquer the Palatinate; a ſtate lying in the midſt of Germany, poſſeſſed entirely by the Emperor and duke of Bavaria, ſurrounded by potent enemies, and cut off from all communication with England. Count Mansfeldt was taken into pay; and an Engliſh army of 12,000 foot and 200 horſe was levied by a general preſs throughout the kingdom. During the negociation with France, vaſt promiſes had been made, though in general terms, by the French miniſtry; not only that a free paſſage ſhould be granted to the Engliſh troops, but that powerful ſuccours ſhould alſo join them in their march towards the Palatinate. In England, all theſe profeſſions were haſtily interpreted to be poſitive engagements. The troops under Mansfeldt's command were embarked at Dover; but, upon ſailing over to Calais, found no orders yet arrived for their admiſſion. After waiting in vain during ſome time, they were obliged to ſail towards Zealand; where it had alſo been neglected to concert proper meaſures for their diſembarkation; and ſome ſcruples aroſe among the States on account of the ſcarcity of proviſions. Meanwhile, a peſtilential diſtemper creeped in among the Engliſh forces, ſo long cooped up in narrow veſſels. Half the army died while on board; and the other half, weakened by ſickneſs, appeared too ſmall a body to march into the Palatinate [l]. And thus ended this ill-concerted and fruitleſs expedition; the only diſaſter which happened to England, during the proſperous and pacific reign of James.

1624. Mansfeldt's expedition.

December.

1625.

THAT reign was now drawing towards a concluſion. With peace, ſo ſucceſsfully cultivated, and ſo paſſionately loved by this monarch, his life alſo terminated. This ſpring he was ſeized with a tertain ague; and, when encouraged by his courtiers with the common proverb, that ſuch a diſtemper, during that ſeaſon, was health for a king, he replied, that the proverb was meant of a young king. After ſome fits, he found himſelf extremely weakened, and ſent for the prince, whom he exhorted to bear a tender affection for his wife, but to preſerve a conſtancy in religion; to protect the church of England and to extend his care towards the unhappy family of the Palatine [m]. With decency and courage, he prepared himſelf for his end; and he expired on the 27th of March, after a reign over England of twenty-two years and ſome days;

1625. Death of the king.

l Franklyn, p. 104. Ruſhworth, vol. i. p. 154. Dugdale, p. 24.

m Ruſhworth. vol. i. p. 155

and in the fifty-ninth year of his age. His reign over Scotland was almoſt of equal duration with his life. In all hiſtory, it would be difficult to find a reign leſs illuſtrious, yet more unſpotted and unblemiſhed than that of James in both kingdoms.

1625 His character.

No prince, ſo little enterpriſing and ſo inoffenſive, was ever ſo much expoſed to the oppoſite extremes of calumny and flattery, of ſatire and panegyric. And the factions, which began in his time, being ſtill continued, have made his character be as much diſputed to this day, as is commonly that of princes who are our contemporaries. Many virtues, however, it muſt be owned, he was poſſeſſed of; but ſcarce any of them pure, or free from the contagion of the neighbouring vices. His generoſity bordered on profuſion, his learning on pedantry, his pacific diſpoſition on puſillanimity, his wiſdom on cunning, his friendſhip on light fancy and boyiſh fondneſs. While he imagined that he was only maintaining his own authority, he may perhaps be ſuſpected, in a few of his actions, and ſtill more of his pretenſions, to have ſomewhat encroached on the liberties of his people: While he endeavoured by an exact neutrality to acquire the good-will of all his neighbours, he was able to preſerve fully the eſteem and regard of none. His capacity was conſiderable; but fitter to diſcourſe on general maxims than to conduct any intricate buſineſs: His intentions were juſt; but more adapted to the conduct of private life, than to the government of kingdoms. Awkward in his perſon, and ungainly in his manners, he was ill qualified to command reſpect; partial and undiſcerning in his affections, he was little fitted to acquire general love. Of a feeble temper more than of a frail judgment: Expoſed to our ridicule from his vanity; but exempt from our hatred by his freedom from pride and arrogance. And upon the whole it may be pronounced of his character, that all his qualities were ſullied with weakneſs and embelliſhed by humanity. Of political courage he certainly was deſtitute; and thence chiefly is derived the ſtrong prejudice which prevails againſt his perſonal bravery: An inference, however, which muſt be owned, from general experience, to be extremely fallacious.

He was only once married to Anne of Denmark, who died on the 3d of March 1619, in the forty-fifth year of her age; a woman eminent neither for her vices nor her virtues. She loved ſhows and expenſive amuſements; but poſſeſſed little taſte in her pleaſures. A great comet appeared about the time of her death; and the vulgar eſteemed it the prognoſtic of that event. So conſiderable in their eyes are even the moſt inſignificant princes.

He left only one ſon, Charles, then in the twenty-fifth year of his age; and one daughter, Elizabeth, married to the elector Palatine. She was

aged twenty-nine years. Thoſe alone remained of ſix legitimate children born to him. He never had any illegitimate; and he never diſcovered any tendency, even the ſmalleſt, towards a paſſion for any miſtreſs.

THE archbiſhops of Canterbury, during this reign, were Whytgift, who died in 1604; Bancroft, in 1610; Abbot, who ſurvived the king. The chancellors, lord Elleſmore, who reſigned in 1617; Bacon was firſt lord keeper till 1619; then was created chancellor, and was diſplaced in 1621; Williams, biſhop of Lincoln, was created lord keeper in his place. The high treaſurers were, the earl of Dorſet, who died in 1609; the earl of Saliſbury, in 1612; the earl of Suffolk fined and diſplaced for bribery in 1618; lord Mandeville, reſigned in 1621; the earl of Middleſex, diſplaced in 1624; the earl of Marlborough ſucceeded. The lord admirals were, the earl of Nottingham, who reſigned in 1618; the earl, afterwards duke of Buckingham. The ſecretaries of ſtate were, the earl of Saliſbury, Sir Ralph Winwood, Nanton, Calvert, lord Conway, Sir Albertus Moreton.

THE numbers of the houſe of lords, in the firſt parliament of this reign, were ſeventy-eight temporal peers. The numbers in the firſt parliament of Charles were ninety-ſeven. Conſequently James, during that period, created nineteen new peerages above thoſe that expired.

THE houſe of commons, in the firſt parliament of this reign, conſiſted of four hundred and ſixty-ſeven members. It appears, that four boroughs revived their charters, which they had formerly neglected. And as the firſt parliament of Charles conſiſted of four hundred and ninety-four members, we may infer that James created ten new boroughs.

APPENDIX

TO THE

REIGN OF JAMES I*.

Civil government of England during this period——Eccleſiaſtical government——Manners——Finances——Navy——Commerce——Manufactures——Colonies——Learning and arts.

IT may not be improper, at this period, to make a pauſe; and to take a ſurvey of the ſtate of the kingdom, with regard to government, manners, finances, arms, trade, learning. Where a juſt notion is not formed of theſe particulars, hiſtory can be little inſtructive, and often will not be intelligible.

Civil government of England.

WE may ſafely pronounce, that the Engliſh government, at the acceſſion of the Scottiſh line, was much more arbitrary than it is at preſent; the prerogative leſs limited, the liberties of the ſubject leſs accurately defined and ſecured. Without mentioning other particulars, the courts alone of high commiſſion and ſtar-chamber were ſufficient to lay the whole kindom at the mercy of the prince.

THE court of high commiſſion had been erected by Elizabeth, in conſequence of an act of parliament, paſſed in the beginning of her reign: By this act, it was thought proper, during the great revolution of religion, to arm the ſovereign with full powers, in order to diſcourage and ſuppreſs oppoſition. All appeals from the inferior eccleſiaſtical courts were carried before the high commiſſion; and, of conſequence, the whole life and doctrine of the clergy lay directly under its inſpection. Every breach of the act of uniformity, every refuſal of the ceremonies, was cognizable in this court; and during the reign of Elizabeth, had been puniſhed by deprivation, by fine, confiſcation, and impriſonment. James contented himſelf with the gentler penalty of deprivation; nor was that puniſhment inflic-

* This hiſtory of the houſe of Stuart was written and publiſhed by the author before the hiſtory of the houſe of Tudor. Hence it happens that ſome paſſages, particularly in the preſent Appendix, may ſeem to be repetitions of what was formerly delivered in the reign of Elizabeth. The author, inorder to obviate this objection, has cancelled ſome few paſſages in the foregoing chapters.

ted with rigour on every offender. Archbiſhop Spotſwood tells us, that he was informed by Bancroft, the primate, ſeveral years after the king's acceſſion, that not above forty-five clergymen had then been deprived. All the catholics too were liable to be puniſhed by this court, if they exerciſed any act of their religion, or ſent abroad their children or other relations to receive that education which they could not procure them in their own country. Popiſh prieſts were thrown into priſon, and might be delivered over to the law, which puniſhed them with death; though that ſeverity had been ſparingly exerciſed by Elizabeth, and never almoſt by James. In a word, that liberty of conſcience, which we ſo highly and ſo juſtly value at preſent, was totally ſuppreſſed; and no exerciſe of any religion, but the eſtabliſhed, was permitted throughout the kingdom. Any word or writing, which tended towards hereſy or ſchiſm, was puniſhable by the high commiſſioners or any three of them: They alone were judges what expreſſions had that tendency: They proceeded not by information, but upon rumour, ſuſpicion, or according to their diſcretion: They adminiſtered an oath, by which the party cited before them, was bound to anſwer any queſtion, which ſhould be propounded to him: Whoever refuſed this oath, though he pleaded ever ſo juſtly, that he might thereby be brought to accuſe himſelf or his deareſt friend, was puniſhable by impriſonment: And in ſhort, an inquiſitorial tribunal, with all its terrors and iniquities, was erected in the kingdom. Full diſcretionary powers were beſtowed with regard to the enquiry, trial, ſentence, and penalty inflicted; excepting only that corporal puniſhments were reſtrained by that patent of the prince, which erected the court, not by the act of parliament, which empowered him. By reaſon of the uncertain limits, which ſeparate eccleſiaſtical from civil cauſes, all accuſations of adultery and inceſt were tried by the court of high commiſſion; and every complaint of wives againſt their huſbands was there examined and diſcuſſed [o]. On like pretences, every cauſe which regarded conſcience, that is, every cauſe, could have been brought under their juriſdiction.

BUT there was a ſufficient reaſon, why the king would not be ſolicitous to ſtretch the juriſdiction of this court: The ſtar-chamber poſſeſſed the ſame authority in civil matters; and its methods of proceeding were equally arbitrary and unlimited. The origin of this court was derived from the moſt remote antiquity [p]; though it is pretended, that its power had firſt been carried to the greateſt height by Henry VII. In all times, however, it is confeſſed, it enjoyed authority; and at no time was its au-

[o] Rymer, tom. xvii. p. 200.

[p] Ruſhworth, vol. ii. p. 472. In Chamber's caſe it was the unanimous opinion of the court of King's Bench, that the court of ſtar-chamber was not derived from the ſtatute of Henry VII. but was a court many years before, and one of the moſt high and honourable courts of juſtice. See Cooke's rep. term. Mich. 5 Car. I. See further Camden's Brit. vol. i. Introd. p. 254. Edit. of Gibſon.

thority circumſcribed, or method of proceeding directed, by any law or ſtatute.

WE have had already, or ſhall have ſufficient occaſion, during the courſe of this hiſtory, to mention the diſpenſing power, the power of impriſonment, of exacting loans [q] and benevolences, of preſſing and quartering ſoldiers, of altering the cuſtoms, of erecting monopolies. Theſe branches of power, if not directly oppoſite to the principles of all free government, muſt, at leaſt, be acknowledged dangerous to freedom in a monarchical conſtitution, where an eternal jealouſy muſt be preſerved againſt the ſovereign, and no diſcretionary powers muſt ever be entruſted to him, by which the property or perſonal liberty of any ſubject can be affected. The kings of England, however, had almoſt conſtantly exerciſed theſe powers; and if, on any occaſion, the prince had been obliged to ſubmit to laws enacted againſt them, he had ever, in practice, eluded theſe laws, and returned to the ſame arbitrary adminiſtration. During almoſt three centuries before the acceſſion of James, the regal authority, in all theſe particulars, had never once been called in queſtion.

WE may alſo obſerve, that the principles in general which prevailed during that age, were ſo favourable to monarchy, that they beſtowed on it an authority almoſt abſolute and unlimited, ſacred and indefeaſible.

THE meetings of parliament were ſo precarious; their ſeſſions ſo ſhort, compared to the vacations; that, when men's eyes were turned upwards in ſearch of ſovereign power, the prince alone was apt to ſtrike them as the only permanent magiſtrate, inveſted with the whole majeſty and authority of the ſtate. The great complaiſance too of parliaments, during ſo long a period, had extremely degraded and obſcured thoſe aſſemblies; and as all inſtances of oppoſition to prerogative muſt have been drawn from a remote age, they were unknown to a great many, and had the leſs authority even with thoſe who were acquainted with them. Theſe examples, beſides, of liberty had commonly, in ancient times, been accompanied with ſuch circumſtances of violence, convulſion, civil war, and diſorder, that they preſented but a diſagreeable idea to the inquiſitive part of the people, and afforded ſmall inducement to renew ſuch diſmal ſcenes. By a great many, therefore, monarchy, ſimple and unmixed, was conceived to be the government of England; and thoſe popular aſſemblies were ſuppoſed to form only the ornament of the fabric, without being, in any degree, eſſential to its being and exiſtence [r]. The prerogative of the crown was repreſented by lawyers as ſomething real and durable; like thoſe eternal eſſences of the ſchools, which no time or force could alter. The ſanction of religion was, by divines, called in aid; and the monarch

[q] During ſeveral centuries, no reign had paſſed without ſome forced loans from the ſubject.

[r] See note [Q] at the end of the volume.

of heaven was ſuppoſed to be intereſted in ſupporting the authority of his earthly vicegerent. And though it is pretended, that theſe doctrines were more openly inculcated and more ſtrenuouſly inſiſted on during the reign of the Stuarts, they were not then invented; and were only found by the court to be more neceſſary at that period, by reaſon of the oppoſite doctrines, which *began* to be promulgated by the puritanical party [s].

IN conſequence of theſe exalted ideas of kingly authority, the prerogative, beſides the articles of juriſdiction, founded on precedent, was by many, ſuppoſed to poſſeſs an inexhauſtible fund of latent powers, which might be exerted on any emergence. In every government, neceſſity, when real, ſuperſedes all laws, and levels all limitations: But, in the Engliſh government, convenience alone was conceived to authorize any extraordinary act of regal power, and to render it obligatory on the people. Hence the ſtrict obedience required to proclamations, during all periods of the Engliſh hiſtory; and, if James has incurred blame on account of his edicts, it is only becauſe he too frequently iſſued them at a time, when they began to be leſs regarded, not becauſe he firſt aſſumed or extended to an unuſual degree that exerciſe of authority. Of his maxims in a parallel caſe, the following is a pretty remarkable inſtance.

QUEEN Elizabeth had appointed commiſſioners for the inſpection of priſons, and had beſtowed on them full diſcretionary powers to adjuſt all differences betweeen priſoners and their creditors, to compound debts, and to give liberty to ſuch debtors as they found honeſt, and inſolvent. From the uncertain and undefined nature of the Engliſh conſtitution, doubts ſprang up in many, that this commiſſion was contrary to law; and it was repreſented in that light to James. He forebore therefore renewing the commiſſion, till the fifteenth of his reign; when complaints roſe ſo high, with regard to the abuſes practiſed in priſons, that he thought himſelf obliged to overcome his ſcruples, and to appoint new commiſſioners, inveſted with the ſame diſcretionary powers which Elizabeth had formerly conferred [u].

UPON the whole, we muſt conceive that monarchy, on the acceſſion of the houſe of Stuart, was poſſeſſed of a very extenſive authority: An authority, in the judgement of all, not exactly limited; in the judgement of ſome, not limitable. But, at the ſame time, this authority was founded merely on the opinion of the people, influenced by ancient precedent and example. It was not ſupported either by money or by force of arms. And, for this reaſon, we need not wonder, that the princes of that line were ſo extremely jealous of their prerogative; being ſenſible, that, when thoſe claims were raviſhed from them, they poſſeſſed no influence, by which they could maintain their dignity, or ſupport the laws. By the changes

[s] See note (R) at the end of the volume.

[u] Rymer, tom. xviii. p. 117. 594.

which have ſince been introduced, the liberty and independence of individuals has been rendered much more full, entire, and ſecure; that of the public more uncertain and precarious. And it ſeems a neceſſary, though perhaps a melancholy truth, that, in every government, the magiſtrate muſt either poſſeſs a large revenue and a military force, or enjoy ſome diſcretionary powers, in order to execute the laws, and ſupport his own authority.

Eccleſiaſtical government.

WE have had occaſion to remark, in ſo many inſtances, the bigotry which prevailed in that age, that we can look for no toleration among the different ſects. Two Arians, under the title of heretics, were puniſhed by fire during this period; and no one reign, ſince the reformation, had been free from like barbarities. Stowe ſays, that theſe Arians were offered their pardon at the ſtake, if they would merit it by a recantation. A mad-man, who called himſelf the Holy Ghoſt, was, without any indulgence for his frenzy, condemned to the ſame puniſhment. Twenty pounds a month could, by law, be levied on every one, who frequented not the eſtabliſhed worſhip. This rigorous law, however, had one indulgent clauſe, that the fines exacted ſhould not exceed two-thirds of the yearly income of the perſon. It had been uſual for Elizabeth to allow thoſe penalties to run on for ſeveral years; and to levy them all at once, to the utter ruin of ſuch catholics as had incurred her diſpleaſure. James was more humane in this, as in every other reſpect. The Puritans formed a ſect, which ſecretly lurked in the church, but pretended not to any ſeparate worſhip or diſcipline. An attempt of that kind would have been univerſally regarded as the moſt unpardonable enormity. And had the king been diſpoſed to grant the Puritans a full toleration for a ſeparate exerciſe of their religion, it is certain, from the ſpirit of the times, that this ſect itſelf would have deſpiſed and hated him for it, and would have reproached him with lukewarmneſs and indifference in the cauſe of religion. They maintained, that they themſelves were the only pure church; that their principles and practices ought to be eſtabliſhed by law; and that no others ought to be tolerated. It may be queſtioned, therefore, whether the adminiſtration at this time could with propriety deſerve the appellation of perſecutors with regard to the Puritans. Such of the clergy, indeed, as refuſed to comply with the legal ceremonies, were deprived of their livings, and ſometimes, in Elizabeth's reign, were otherwiſe puniſhed: And ought any man to accept of an office or benefice in an eſtabliſhment, while he declines compliance with the fixed and known rules of that eſtabliſhment? But Puritans were never puniſhed for frequenting ſeparate congregations; becauſe there were none ſuch in the kingdom; and no proteſtant ever aſſumed or pretended to the right of erecting them. The greateſt well-wiſhers

of the puritanical ſect would have condemned a practice, which in that age was univerſally, by ſtateſmen and eccleſiaſtics, philoſophers and zealots, regarded as ſubverſive of civil ſociety. Even ſo great a reaſoner as lord Bacon, thought that uniformity in religion was abſolutely neceſſary to the ſupport of government, and that no toleration could with ſafety be given to ſectaries [w]. Nothing but the imputation of idolatry, which was thrown on the catholic religion, could juſtify, in the eyes of the Puritans themſelves, the ſchiſm made by the hugonots, and other proteſtants, who lived in popiſh countries.

In all former ages, not wholly excepting even thoſe of Greece and Rome, religious ſects and hereſies and ſchiſms, had been eſteemed dangerous, if not pernicious to civil government, and were regarded as the ſource of faction, and private combination, and oppoſition to the laws [x]. The magiſtrate, therefore, applied himſelf directly to the cure of this evil as of every other; and very naturally attempted, by penal ſtatutes, to ſuppreſs thoſe ſeparate communities, and puniſh the obſtinate innovators. But it was found by fatal experience, and after ſpilling an ocean of blood in thoſe theological quarrels, that the evil was of a peculiar nature, and was both enflamed by violent remedies, and diffuſed itſelf more rapidly throughout the whole ſociety. Hence, though late, aroſe the paradoxical principle and ſalutary practice of toleration.

The liberty of the preſs was incompatible with ſuch maxims and ſuch principles of government, as then prevailed, and was therefore quite unknown in that age. Beſides employing the two terrible courts of ſtar-chamber and high commiſſion, whoſe powers were unlimited, Queen Elizabeth exerted her authority by reſtraints, upon the preſs. She paſſed a decree in her court of ſtar-chamber, that is, by her own will and pleaſure, forbidding any book to be printed in any place but in London, Oxford, and Cambridge [y]: And another, in which ſhe prohibited, under ſevere penalties, the publiſhing of any book or pamphlet *againſt the form or meaning of any reſtraint or ordinance, contained, or to be contained, in any ſtatute or laws of this realm, or in any injunction made or ſet forth by her majeſty or her privy-council, or againſt the true ſenſe or meaning of any letters patent, commiſſions or prohibitions under the great ſeal of England* [z]. James extended the ſame penalties to the importing of ſuch books from abroad [a], And to render theſe edicts more effectual, he afterwards inhibited the printing of any book without a licence from the archbiſhop of Canterbury, the archbiſhop of York, the biſhop of London, or the vice-chancellor of one of the univerſities, or of ſome perſon appointed by them. [b].

[w] See his eſſay *De unitate eccleſiæ*. [x] See Cicero de legibus. [y] 28th Elizabeth. See State Trials. Sir Robert Knightly, vol. vii. edit. 1. [z] Rymer, tom. xvii. p. 522. [a] Id. ibid. [b] Ibid. p. 616.

IN tracing the coherence among the ſyſtems of modern theology, we may obſerve, that the doctrine of abſolute decrees has ever been intimately connected with the enthuſiaſtic ſpirit; as that doctrine affords the higheſt ſubject of joy, triumph, and ſecurity to the ſuppoſed elect, and exalts them, by infinite degrees, above the reſt of mankind. All the firſt reformers adopted theſe principles; and the Janſeniſts too, a fanatical ſect in France, not to mention the Mahometans in Aſia, have ever embraced them. As the Lutheran eſtabliſhments were ſubjected to epiſcopal juriſdiction, their enthuſiaſtic genius gradually decayed, and men had leiſure to perceive the abſurdity of ſuppoſing God to puniſh, by infinite torments, what he himſelf, from all eternity, had unchangeably decreed. The king, though at this time his Calviniſtic education had rivetted him in the doctrine of abſolute decrees, yet, being a zealous partizan of epiſcopacy, was inſenſibly engaged, towards the end of his reign, to favour the milder theology of Arminius. Even in ſo great a doctor, the genius of the religion prevailed over its ſpeculative tenets; and with him, the whole clergy gradually dropped the more rigid principles of abſolute reprobation and unconditional decrees. Some noiſe was, at firſt, made about theſe innovations; but being drowned in the fury of factions and civil wars which enſued, the ſcholaſtic arguments made an inſignificant figure amidſt thoſe violent diſputes about civil and eccleſiaſtical power, with which the nation was agitated. And at the reſtoration, the church, though ſhe ſtill retained her old ſubſcriptions and articles of faith, was found to have totally changed her ſpeculative doctrines, and to have embraced tenets more ſuitable to the genius of her diſcipline and worſhip, without its being poſſible to aſſign the preciſe period, in which the alteration was produced.

IT may be worth obſerving, that James, from his great deſire to promote controverſial divinity, erected a college at Chelſea for the entertainment of twenty perſons, who ſhould be entirely employed in refuting the papiſts and puritans [b]. All the efforts of the great Bacon could not procure an eſtabliſhment for the cultivation of natural philoſophy: Even to this day, no ſociety has been inſtituted for the poliſhing and fixing of our language. The only encouragement, which the ſovereign in England has ever given to any thing that has the appearance of ſcience, was this ſhort-lived eſtabliſhment of James; an inſtitution quite ſuperfluous, conſidering the unhappy propenſion, which, at that time, ſo univerſally poſſeſſed the nation for polemical theology.

THE manners of the nation were agreeable to the monarchical government, which prevailed; and contained not that ſtrange mixture, which, at preſent, diſtinguiſhes England from all other Manners.

[b] Kennet, p. 685. Camden's Brit. vol. i. p. 370. Gibſon's edit.

countries. Such violent extremes were then unknown, of induſtry and debauchery, frugality and profuſion, civility and ruſticity, fanaticiſm and ſcepticiſm. Candour, ſincerity, modeſty are the only qualities which the Engliſh of that age poſſeſſed in common with the preſent.

HIGH pride of family then prevailed; and it was by a dignity and ſtatelineſs of behaviour, that the gentry and nobility diſtinguiſhed themſelves from the common people. Great riches, acquired by commerce, were more rare, and had not as yet been able to confound all ranks of men, and render money the chief foundation of diſtinction. Much ceremony took place in the common intercourſe of life, and little familiarity was indulged by the great. The advantages, which reſult from opulence, are ſo ſolid and real, that thoſe who are poſſeſſed of them need not dread the near approaches of their inferiors. The diſtinctions of birth and title, being more empty and imaginary, ſoon vaniſh upon familiar acceſs and acquaintance.

THE expences of the great conſiſted in pomp and ſhow, and a numerous retinue, rather than in convenience and true pleaſure. The earl of Nottingham, in his embaſſy to Spain, was attended by 500 perſons: The earl of Hertford, in that to Bruſſels, carried 300 gentlemen along with him. Lord Bacon has remarked, that the Engliſh nobility, in his time, maintained a larger retinue of ſervants than the nobility of any other nation, except, perhaps, the Polanders [c].

CIVIL honours, which now hold the firſt place, were, at that time, ſubordinate to the military. The young gentry and nobility were fond of diſtinguiſhing themſelves by arms. The fury of duels too prevailed more than at any time, before or ſince [d]. This was the turn, that the romantic chivalry, for which the nation was formerly ſo renowned, had lately taken.

LIBERTY of commerce between the ſexes was indulged; but without any licentiouſneſs of manners. The court was very little an exception to this obſervation. James had rather entertained an averſion and contempt for the females; nor were thoſe young courtiers, of whom he was ſo fond, able to break through the eſtabliſhed manners of the nation.

THE firſt ſedan chair, ſeen in England, was in this reign, and was uſed by the duke of Buckingham; to the great indignation of the people, who exclaimed, that he was employing his fellow creatures to do the ſervice of beaſts.

THE country life prevails at preſent in England beyond any cultivated nation of Europe; but it was then much more generally embraced by all the gentry. The encreaſe of arts, pleaſures, and ſocial commerce was juſt

[c] Eſſays de profer. fin. imp. [d] Franklyn, p. 5. See alſo Lord Herbert's Memoirs.

beginning to produce an inclination for the ſofter and more civilized life of the city. James diſcouraged as much as poſſible, this alteration of manners. "He was wont to be very earneſt," as Lord Bacon tells us, "with "the country gentlemen to go from London to their country ſeats. And "ſometimes he would ſay thus to them: *Gentlemen, at London, you are like "ſhips in a ſea, which ſhow like nothing; but in your country villages, you are "like ſhips in a river, which look like great things* [e]."

He was not content with reproof and exhortation. As queen Elizabeth had perceived with regret, the encreaſe of London, and had reſtrained all new buildings by proclamation; James, who found that theſe edicts were not exactly obeyed, frequently renewed them; though a ſtrict execution ſeems ſtill to have been wanting. He alſo iſſued reiterated proclamations, in imitation of his predeceſſor; containing ſevere menaces againſt the gentry who lived in town [f]. This policy is contrary to that which has ever been practiſed by all princes, who ſtudied the encreaſe of their authority. To allure the nobility to court; to engage them in expenſive pleaſures or employments, which diſſipate their fortune: to encreaſe their ſubjection to miniſters by attendance; to weaken their authority in the provinces by abſence: Theſe have been the common arts of arbitrary government. But James, beſides that he had certainly laid no plan for extending his power, had no money to ſupport a ſplendid court, or beſtow on a numerous retinue of gentry and nobility. He thought too, that, by their living together, they became more ſenſible of their own ſtrength, and were apt to indulge too curious reſearches into matters of government. To remedy the preſent evil, he was deſirous of diſperſing them into their country ſeats; where he hoped, they would bear a more ſubmiſſive reverence to his authority, and receive leſs ſupport from each other. But the contrary effect ſoon followed. The riches, amaſſed during their reſidence at home, rendered them independent. The influence, acquired by hoſpitality, made them formidable. They would not be led by the court: They could not be driven: And thus the ſyſtem of the Engliſh government received a total and a ſudden alteration in the courſe of leſs than forty years.

The firſt riſe of commerce and the arts had contributed, in preceding reigns, to ſcatter thoſe immenſe fortunes of the barons, which rendered them ſo formidable both to king and people. The farther progreſs of theſe advantages began, during this reign, to ruin the ſmall proprietors of land [g]; and, by both events, the gentry, or that rank which compoſed the houſe of commons, enlarged their power and authority. The early improve-

[e] Apophthegms. [f] Rymer, tom. xvii. p. 632. [g] Caba'a, p. 224. firſt edit.

ments in luxury were ſeized by the greater nobles, whoſe fortunes placing them above frugality, or even calculation, were ſoon diſſipated in expenſive pleaſures. Theſe improvements reached at laſt all men of property; and thoſe of ſlender fortunes, who, at that time, were often men of family, imitating thoſe of a rank immediately above them, reduced themſelves to poverty. Their lands, coming to ſale, ſwelled the eſtates of thoſe, who poſſeſſed riches ſufficient for the faſhionable expences; but who were not exempted from ſome care and attention to their domeſtic œconomy.

THE gentry alſo of that age were engaged in no expence, except that of country hoſpitality. No taxes were levied, no wars waged, no attendance at court expected, no bribery or profuſion required at elections [h]. Could human natrue ever reach happineſs, the condition of the Engliſh gentry, under ſo mild and benign a prince, might merit that appellation.

Finances. The amount of the king's revenue, as it ſtood in 1617, is thus ſtated [i]. Of crown lands, 80,000 pounds a year; by cuſtoms and new impoſitions, near 190,000; by wards and other various branches of revenue, beſide purveyance, 180,000. The whole amounting to 450,000. The king's ordinary diſburſements, by the ſame account, are ſaid to exceed this ſum thirty-ſix thouſand pounds [k]. All the extraordinary ſums which James had raiſed by ſubſidies, loans, ſale of lands, ſale of the title of baronet, money paid by the ſtates, and by the king of France, benevolences, *&c.* were, in the whole, about two millions two hundred thouſand pounds. Of which the ſale of lands afforded ſeven hundred and ſeventy-five thouſand pounds. The extraordinary diſburſements of the king amounted to two millions; beſide above four hundred thouſand pounds given in preſents. Upon the whole, a ſufficient reaſon appears, partly from neceſſary expences, partly for want of a rigid œconomy, why the king, even early in his reign, was deeply involved in debt, and found great difficulty to ſupport the government.

FARMERS, not commiſſioners, levied the cuſtoms. It ſeems indeed, requiſite, that the former method ſhould always be tried before the latter; though a preferable one. When men's own intereſt is concerned, they fall upon a hundred expedients to prevent frauds in the merchants; and theſe the public may afterwards imitate, in eſtabliſhing proper rules for its officers.

[h] Men ſeem then to have been ambitious of repreſenting the counties, but careleſs of the boroughs. A ſeat in the houſe was, in itſelf, of ſmall importance: But the former became a point of honour among the gentlemen. Journ. 10 Feb. 1620. Towns, which had formerly neglected their right of ſending members, now began to claim it. Journ. 26 Feb. 1623.

[i] An abſtract, or brief declaration of his Majeſty's revenue, with the aſſignations and defalcations upon the ſame.

[k] The exceſs was formerly greater, as appears by Salisbury's account. See chap. 2,

THE cuſtoms were ſuppoſed to amount to five *per cent.* of the value, and were levied upon exports, as well as imports. Nay, the impoſitions upon exports, by James's additions, is ſaid to amount, in ſome few inſtances, to twenty-five *per cent.* This practice, ſo hurtful to induſtry, prevails ſtill in France, Spain, and moſt countries of Europe. The cuſtoms in 1604, yielded 127,000 pounds a-year [1]: They roſe to 190,000 towards the end of the reign.

INTEREST, during this reign, was at ten *per cent.* till 1624, when it was reduced to eight. This high intereſt is an indication of the great profits and ſmall progreſs of commerce.

THE extraordinary ſupplies granted by parliament, during this whole reign, amounted not to more than 630,000 pounds; which, divided among twenty one-years, makes 30,000 pounds a-year. I do not include thoſe ſupplies, amounting to 300,000 pounds, which were given to the king by his laſt parliament. Theſe were paid in to their own commiſſioners; and the expences of the Spaniſh war were much more than ſufficient to exhauſt them. The diſtreſſed family of the Palatine was a great burthen on James, during part of his reign. The king, it is pretended, poſſeſſed not frugality, proportioned to the extreme narrowneſs of his revenue. Splendid equipages, however, he did not affect, nor coſtly furniture, nor a luxurious table, nor prodigal miſtreſſes. His buildings too were not ſumptuous; though the Banqueting houſe muſt not be forgotten, as a monument which does honour to his reign. Hunting was his chief amuſement, the cheapeſt pleaſure in which a king can indulge himſelf. His expences were the effects of liberality, rather than of luxury.

ONE day, it is ſaid, while he was ſtanding amidſt ſome of his courtiers, a porter paſſed by, loaded with money, which he was carrying to the treaſury. The king obſerved, that Rich, afterwards earl of Holland, one of his handſome, agreeable favourites, whiſpered ſomething to one ſtanding near him. Upon enquiry, he found, that Rich had ſaid, *how happy would that money make me?* Without heſitation James beſtowed it upon him, though it amounted to 3000 pounds. He added, *You think yourſelf very happy in obtaining ſo large a ſum; but I am more happy, in having an opportunity of obliging a worthy man whom I love.* This generoſity of James was more the reſult of a benign humour or light fancy, than of reaſon or judgment. The objects of it were ſuch as could render themſelves agreeable to him in his looſe hours; not ſuch as were endowed with great merit, or who poſſeſſed talents or popularity, which could ſtrengthen his intereſt with the public.

[1] Journ. 21. May, 1604.

THE ſame advantage, we may remark, over the people, which the crown formerly reaped from that interval between the fall of the peers and riſe of the commons, was now poſſeſſed by the people againſt the crown, during the continuance of a like interval. The ſovereign had already loſt that independent revenue, by which he could ſubſiſt without regular ſupplies from parliament; and he had not yet acquired the means of influencing thoſe aſſemblies. The effects of this ſituation, which commenced with the acceſſion of the houſe of Stuart, ſoon roſe to a great height, and were more or leſs propagated throughout all the reigns of that unhappy family.

SUBSIDIES and fifteenths are frequently mentioned by hiſtorians; but neither the amount of theſe taxes, nor the method of levying them, have been well explained. It appears, that the fifteenths formerly correſponded to the name, and were that proportionable part of the moveables [m]. But a valuation having been made, in the reign of Edward III. that valuation was always adhered to, and each town paid unalterably a particular ſum, which the inhabitants themſelves aſſeſſed upon their fellow-citizens. The ſame tax in corporate towns was called a tenth; becauſe, there, it was, at firſt, a tenth of the moveables. The whole amount of a tenth and a fifteenth throughout the kingdom, or a fifteenth, as it is often more conciſely called was about 29,000 pounds [n]. The amount of a ſubſidy was not invariable, like that of a fifteenth. In the eighth of Elizabeth, a ſubſidy amounted to 120,000 pounds: In the fortieth, it was not above 78,000 [o]. It afterwards fell to 70,000; and was continually decreaſing [p]. The reaſon is eaſily collected from their method of levying it. We may learn from the ſubſidy bills [q], that one ſubſidy was given for four ſhillings in the pound on land, and two ſhillings and eight-pence on moveables throughout the counties; a conſiderable tax, had it been ſtrictly levied. But this was only the ancient ſtate of a ſubſidy. During the reign of James, there was not paid the twentieth part of that ſum. The tax was ſo far perſonal, that a man paid only in the county where he lived, though he ſhould poſſeſs eſtates in other counties; and the aſſeſſors formed a looſe eſtimation of his property, and rated him accordingly. To preſerve, however, ſome rule in the eſtimation, it ſeems to have been the practice to keep an eye, to former aſſeſſments, and to rate every man according as his anceſtors, or men of ſuch an eſtimated property were accuſtomed to pay. This was a ſufficient reaſon, why ſubſidies could not increaſe, notwithſtanding the great encreaſe of money and riſe of rents. But there was an evident reaſon, why they continually decreaſed. The

[m] Coke's inſt. book iv. chap. i. of fifteenths, quinzins. [n] Id. ſubſidies temporary.
[o] Journ. 11 July 1610. [p] Coke's Inſt. book iv. chap. i. ſubſidies temporary.
[q] See ſtatutes at Large.

favour, as is natural to ſuppoſe, ran always againſt the crown; eſpecially during the latter end of Elizabeth, when ſubſidies became numerous and frequent, and the ſums levied were conſiderable, compared to former ſupplies. The aſſeſſors, though accuſtomed to have an eye to ancient eſtimations, were not bound to obſerve any ſuch rule; but might rate anew any perſon, according to his preſent income. When rents fell, or parts of an eſtate were ſold off, the proprietor was ſure to repreſent theſe loſſes, and obtain a diminution of his ſubſidy; but where rents roſe, or new lands were purchaſed, he kept his own ſecret, and paid no more than formerly. The advantage, therefore of every change was taken againſt the crown; and the crown could obtain the advantage of none. And to make the matter worſe, the alterations, which happened in property during this age, were in general unfavourable to the crown. The ſmall proprietors, or twenty pound men, went continually to decay; and when their eſtates were ſwallowed up by a greater, the new purchaſer encreaſed not his ſubſidy. So looſe indeed is the whole method of rating ſubſidies, that the wonder was not how the tax ſhould continually diminiſh; but how it yielded any revenue at all. It became at laſt ſo unequal and uncertain, that the parliament was obliged to change it into a land tax.

THE price of corn, during this reign, and that of the other neceſſaries of life, was no lower, or was rather higher than at preſent. By a proclamation of James, eſtabliſhing public magazines, whenever wheat fell below thirty-two ſhillings a quarter, rye below eighteen, barley below ſixteen, the commiſſioners were empowered to purchaſe corn for the magazines[r]. Theſe prices then are to be regarded as low; though they would rather paſs for high by our eſtimation. The uſual bread of the poor was at this time made of barley[s]. The beſt wool, during the greater part of James's reign, was at thirty-three ſhillings a tod:[t] At preſent, it is not above two-thirds of that value; though it is to be preſumed, that our exports in woollen goods are ſomewhat encreaſed. The finer manufactures too, by the progreſs of arts and induſtry, have rather diminiſhed in price notwithſtanding the great encreaſe of money. In Shakeſpeare, the hoſteſs tells Falſtaff, that the ſhirts ſhe bought him were holland, at eight ſhillings a-yard; a high price at this day, even ſuppoſing, what is not probable, that the beſt holland at that time was equal in goodneſs to the beſt that can now be purchaſed. In like manner, a yard of velvet about the middle of Elizabeth's reign, was valued at two and twenty ſhillings. It appears, from Dr. Birch's life of prince Henry[u], that that prince, by contract with his butcher, payed near a groat a-pound throughout the year

[r] Rymer, tom. xvii. p. 526. To the ſame purpoſe, ſee alſo 21 Jac. vi. cap. 28.
[s] Rymer, tom. xx. p. 157. [t] See alſo a compedium or dialogue inſerted in the Memoirs of wool chap. 23. [u] P. 449.

for all the beef and mutton uſed in his family. Beſides, we muſt conſider, that the general turn of that age, which no laws could prevent was the converting of arable land into paſture: A certain proof that the latter was more profitable, and conſequently that all butcher's meat, as well as bread, was rather higher than at preſent. We have a regulation of the market with regard to poultry and ſome other articles, very early in Charles I.'s reign [w]; and the prices are high. A turkey cock four ſhillings and ſixpence, a turkey hen three ſhillings, a pheaſant cock ſix, a pheaſant hen five, a partridge one ſhilling, a gooſe two, a capon two and ſixpence, a pullet one and ſixpence, a rabbit eight pence, a dozen of pigeons ſix ſhillings [x]. We muſt conſider, that London at preſent is more than three times more populous than it was at that time: A circumſtance which much encreaſes the price of poultry, and of every thing that cannot conveniently be brought from a diſtance: Not to mention, that theſe regulations by authority are always calculated to diminiſh, never to encreaſe the market-prices. The contractors for victualling the navy were allowed by government eight pence a-day for the diet of each man when in harbour, ſeven pence half penny when at ſea [y]; which would ſuffice at preſent. The chief difference in expence between that age and the preſent, conſiſts in imaginary wants which have ſince extremely multiplied. Theſe [z] are the principal reaſons why James's revenue would go farther than the ſame money in our time; though the difference is not near ſo great as is uſually imagined.

THE public was entirely free from the danger and expence of a ſtanding army. While James was vaunting his divine vice-gerency, and boaſting of his high prerogative, he poſſeſſed not ſo much as a ſingle regiment of guards to maintain his extenſive claims: A ſufficient proof that he ſincerely believed his pretenſions to be well grounded, and a ſtrong preſumption that they were at leaſt built on what were then deemed plauſible arguments. The militia of England, amounting to 160,000 men [a], was the ſole defence of the kingdom. It is pretended, that they were kept in good order during this reign [b]. The city of London procured officers who had ſerved abroad, and who taught the trained bands their exerciſes in Artillery garden; a practice which had been diſcontinued ſince 1588. All the counties in England, in emulation of the capital,

[w] Rymer, tom. xix. p 51.

[x] We may judge of the great grievance of purveyance by this circumſtance, that the purveyors often gave but ſixpence for a dozen of pigeons, and two pence for a fowl. Journ. 25 May, 1626.

[y] Rymer, tom. xvii. p. 441, & ſeq.

[z] This volume was written about twenty years before the preſent edition of 17[illegible]; in that ſhort period, prices have riſen more than during the preceding hundred and fifty.

[a] Journ. 1 March, 1623. [b] Stowe. See alſo Sir Walter Raleigh of the Prerogatives of Parliament, and Jonſtoni Hiſt. lib. xviii.

were fond of ſhowing a well-ordered and well-appointed military. It appeared, that the natural propenſity of men towards military ſhows and exerciſes will go far, with a little attention in the ſovereign, towards exciting and ſupporting this ſpirit in any nation. The very boys, at this time, in mimickry of their elders, inliſted themſelves voluntarily into companies, elected officers, and practiſed military diſcipline, of which the models were every day expoſed to their view [c]. Sir Edward Harwood, in a memorial compoſed at the beginning of the ſubſequent reign, ſays that England was ſo unprovided with horſes fit for war, that 2000 men could not poſſibly be mounted throughout the whole kingdom [d]. At preſent, the breed of horſes is ſo much improved, that almoſt all thoſe which are employed, either in the plough, waggon, or coach, would be fit for that purpoſe.

THE diſorders of Ireland obliged James to keep up ſome forces there, and put him to a great expence [e]. The common pay of a private man in the infantry was eight pence a day, a lieutenant two ſhillings, an enſign eighteen pence [f]. The armies in Europe were not near ſo numerous during that age; and the private men, we may obſerve, were drawn from a better rank than at preſent, and approaching nearer to that of officers.

IN the year 1583, there was a general review made of all the men in England capable of bearing arms; and theſe were found to amount to 1,172,000 men, according to Raleigh [f]. It is impoſſible to warrant the exactneſs of this computation; or rather, we may fairly preſume it to be ſomewhat inaccurate. But if it approached near the truth, England has probably, ſince that time, encreaſed in populouſneſs. The growth of London, in riches and beauty, as well as in the number of inhabitants, has been prodigious. From 1600, it doubled every forty years [g]; and, conſequently, in 1680, it contained four times as many inhabitants as at the beginning of the century. It has ever been the center of all the trade in the kingdom; and almoſt the only town that affords ſociety and amuſement. The affection which the Engliſh bear to a country life makes the provincial towns be little frequented by the gentry. Nothing but the allurements of the capital, which is favoured by the reſidence of the king, and by being the ſeat of government, and of all the courts of juſtice, can prevail over their paſſion for their rural villas.

LONDON, at this time, was almoſt entirely built of wood, and in every

[c] Stowe. [d] In the Harleyan Miſcellany, vol. iv. p. 255. [e] Rymer, tom. xvi. p. 71

[f] Of the invention of ſhipping. This number is much ſuperior to that contained in Marden, and that delivered by Sir Edward Coke to the houſe of commons and is more likely.

[g] Sir William Petty.

reſpect was certainly a very ugly city. The earl of Arundel firſt introduced the general practice of brick buildings [h].

THE navy of England was eſteemed formidable in Elizabeth's time, yet it conſiſted only of thirty-three ſhips, beſides pinnaces [i]: And the largeſt of theſe would not equal our fourth rates at preſent. Raleigh adviſes never to build a ſhip of war above 600 tons [k]. James was not negligent of the navy. In five years preceding 1623, he built ten new ſhips, and expended fifty thouſand pounds a-year on the fleet, beſide the value of thirty-ſix thouſand pounds in timber, which he annually gave from the royal foreſts [l]. The largeſt ſhip that had ever come from the Engliſh docks was built during this reign. She was only 1400 tons, and carried ſixty-four guns [m]. The merchant ſhips, in caſes of neceſſity, were inſtantly converted into ſhips of war. The king affirmed to the parliament, that the navy had never before been in ſo good a condition [n].

Commerce.

EVERY ſeſſion of parliament, during this reign, we meet with grievous lamentations concerning the decay of trade, and the growth of popery: Such violent propenſity have men to complain of the preſent times, and to entertain diſcontent againſt their fortune and condition. The king himſelf was deceived by theſe popular complaints, and was at a loſs to account for the total want of money, which he heard ſo much exaggerated [o]. It may, however, be affirmed, that, during no preceding period of Engliſh hiſtory, was there a more ſenſible encreaſe, than during the reign of this monarch, of all the advantages which diſtinguiſh a flouriſhing people. Not only the peace which he maintained was favourable to induſtry and commerce: His turn of mind inclined him to promote the peaceful arts: And trade being as yet in its infancy, all additions to it muſt have been the more evident to every eye, which was not blinded by melancholy prejudices [p].

BY an account [q], which ſeems judicious and accurate, it appears, that all the ſeamen employed in the merchant ſervice amounted to 10,000 men, which probably exceeds not the fifth part of their preſent number. Sir Thomas Overbury ſays, that the Dutch poſſeſſed three times more ſhipping than the Engliſh, but that their ſhips were of inferior burden to thoſe

[h] Sir Edward Walker's Political diſcourſes p 270.

[i] Coke's Inſt book 4. chap. 1. Conſultation in parliament for the navy.

[k] By Raleigh's account in his Diſcourſe of the firſt invention of Shipping, the fleet, in the twenty-fourth of the queen, conſiſted only of thirteen ſhips, and were augmented afterwards eleven. He probably reckoned ſome to be pinnaces, which Coke called ſhips.

[l] Journ. 11 March, 1623. Sir William Monſon makes the number amount only to nine new ſhips, p. 253. [m] Stowe. [n] Parl. Hiſt. vol. vi. p. 94. [o] Rymer, tom. xvii. p. 413.

[p] See note [S] at the end of the volume. [q] The trade's encreaſe, in the Harleyan Miſc. vol. 3.

of the latter [r]. Sir William Monſon computed the Engliſh naval power to be little or nothing inferior to the Dutch [s], which is ſurely an exaggeration. The Dutch at this time traded to England with 600 ſhips; England to Holland with ſixty only [t].

A CATALOGUE of the manufactures, for which the Engliſh were then eminent, would appear very contemptible, in compariſon of thoſe which flouriſh among them at preſent. Almoſt all the more elaborate and curious arts were only cultivated abroad, particularly in Italy, Holland, and the Netherlands. Ship-building, and the founding of iron cannon, were the ſole in which the Engliſh excelled. They ſeem, indeed, to have poſſeſſed alone the ſecret of the latter, and great complaints were made every parliament againſt the exportation of Engliſh ordnance. Manufactures.

NINE tenths of the commerce of the kingdom conſiſted in woollen goods [u]. Wool, however, was allowed to be exported, till the 19th of the king. Its exportation was then forbidden by proclamation; though that edict was never ſtrictly executed. Moſt of the cloth was exported raw, and was dyed and dreſſed by the Dutch; who gained, it is pretended, 400,000 pounds a-year by this manufacture [w]. A proclamation, iſſued by the king, againſt exporting cloth in that condition, had ſucceeded ſo ill, during one year, by the refuſal of the Dutch to buy the dreſſed cloth, that great murmurs aroſe againſt it; and this meaſure was retracted by the king, and complained of by the nation, as if it had been the moſt impolitic in the world. It ſeems indeed to have been premature.

IN ſo little credit was the fine Engliſh cloth even at home, that the king was obliged to ſeek expedients, by which he might engage the people of faſhion to wear it [x]. The manufacture of fine linen was totally unknown in the kingdom [y].

THE company of merchant-adventurers, by their patent, poſſeſſed the ſole commerce of woollen goods, though the ſtaple commodity of the kingdom. An attempt made during the reign of Elizabeth, to lay open this important trade, had been attended with bad conſequences for a time, by a conſpiracy of the merchant-adventurers, not to make any purchaſes of cloth; and the queen immediately reſtored them their patent.

[r] Remarks on his Travels, Harl. Miſc. vol. 2. p. 349. [s] Naval Tracts, p. 329. 330. [t] Raleigh's Obſervations [u] Journ. 26th May, 1621.

[w] Journ, 20 May, 1614. Raleigh, in his Obſervations, computes the loſs at 400,000 pounds to the nation. There are about 80,000 undreſſed cloths, ſays he, exported yearly. He computes, beſides, that about 100,000 pounds a-year had been loſt by kerſies; not to mention other articles. The account of 200,000 cloths a-year exported in Elizabeth's reign, ſeems to be exaggerated. [x] Rymer, tom. xvii. p. 415. [y] Id. ibid.

IT was the groundleſs fear of a like accident, that enſlaved the nation to thoſe excluſive companies, which confined ſo much every branch of commerce and induſtry. The parliament, however, annulled, in the third of the king, the patent of the Spaniſh company; and the trade to Spain, which was, at firſt, very inſignificant, ſoon became the moſt conſiderable in the kingdom. It is ſtrange, that they were not thence encouraged to aboliſh all the other companies, and that they went no farther than obliging them to enlarge their bottom, and to facilitate the admiſſion of new adventurers.

A BOARD of trade was erected by the king in 1622 [z]. One of the reaſons aſſigned in the commiſſion, is to remedy the low price of wool, which begat complaints of the decay of the woollen manufactory. It is more probable, however, that this fall of prices proceeded from the encreaſe of wool. The king likewiſe recommends it to the commiſſioners to enquire and examine, whether a greater freedom of trade, and an exemption from the reſtraint of excluſive companies, would not be beneficial. Men were then fettered by their own prejudices; and the king was juſtly afraid of embracing a bold meaſure, whoſe conſequences might be uncertain. The digeſting of a navigation act, of a like nature with the famous one executed afterwards by the republican parliament, is likewiſe recommended to the commiſſioners. The arbitrary powers, then commonly aſſumed by the privy-council, appear evidently through the whole tenor of the commiſſion.

THE ſilk manufacture had no footing in England; But, by James's direction, mulberry-trees were planted, and ſilk-worms introduced [a]. The climate ſeems unfavourable to the ſucceſs of this project. The planting of hopes encreaſed much in England during this reign.

GREENLAND is thought to have been diſcovered about this period; and the whale-fiſhery was carried on with ſucceſs: But the induſtry of the Dutch, in ſpite of all oppoſition, ſoon deprived the Engliſh of this ſource of riches. A company was erected for the diſcovery of the north-weſt paſſage; and many fruitleſs attempts were made for that purpoſe. In ſuch noble projects, deſpair ought never to be admitted, till the abſolute impoſſibility of ſucceſs be fully aſcertained.

THE paſſage to the Eaſt Indies had been opened to the Engliſh during the reign of Elizabeth; but the trade to thoſe parts was not entirely eſtabliſhed till this reign, when the Eaſt India company received a new patent, enlarged their ſtock to 1,500,000 pounds [b], and fitted out ſeveral ſhips on theſe adventures. In 1609 they built a veſſel of 1200 tons, the largeſt

[z] Rymer, tom. xvii. p. 410. [a] Stowe. [b] Journ. 26th Nov. 1621. lib. 19. [c] In 1622. [d] Johnſtoni Hiſt. lib. 19.

merchant ſhip that England had ever known. She was unfortunate, and periſhed by ſhipwreck. In 1611, a large ſhip of the company, aſſiſted by a pinnace, maintained five ſeveral engagements with a ſquadron of Portugueſe, and gained a complete victory overforces much ſuperior. During the following years the Dutch company was guilty of great injuries towards the Engliſh, in expelling many of their factors, and deſtroying their ſettlements: But theſe violences were reſented with a proper ſpirit by the court of England. A naval force was equipped under the earl of Oxford [c], and lay in wait for the return of the Dutch Eaſt India fleet. By reaſon of croſs winds, Oxford failed of his purpoſe, and the Dutch eſcaped. Some time after, one rich ſhip was taken by vice admiral Merwin; and it was ſtipulated by the Dutch to pay 70,000 pounds to the Engliſh company, in conſideration of the loſſes which that company had ſuſtained [d]. But neither this ſtipulation, nor the fear of repriſals, nor the ſenſe of that friendſhip which ſubſiſted between England and the States, could reſtrain the avidity of the Dutch company, or render them equitable in their proceedings towards their allies. Impatient to have the ſole poſſeſſion of the ſpice trade, which the Engliſh then ſhared with them, they aſſumed a juriſdiction over a factory of the latter in the iſland of Amboyna; and on very improbable, and even abſurd pretences, ſeized all the factors, with their families, and put them to death with the moſt inhuman tortures. This diſmal news arrived in England at the time when James, by the prejudices of his ſubjects, and the intrigues of his favourite, was conſtrained to make a breach with Spain; and he was obliged, after ſome remonſtrances, to acquieſce in this indignity from a ſtate, whoſe alliance was now become neceſſary to him. It is remarkable, that the nation, almoſt, without a murmur, ſubmitted to this injury from their proteſtant confederates; an injury which, beſides the horrid enormity of the action, was of much deeper importance to national intereſt, than all thoſe which they were ſo impatient to reſent from the houſe of Auſtria.

THE exports of England from Chriſtmas 1612 to Chriſtmas 1613 are computed at 2,487,435 pounds: The imports at 2,141,151: So that the balance in favour of England was 346,284 [e]. But in 1622 the exports were 2,320,436 pounds; the imports 2,619, 315; which makes a balance of 298,879 pounds againſt England [f]. The coinage of England from 1599 to 1619 amounted to 4,779,314 pounds, 13 ſhillings and 4 pence [g]: A proof that the balance in the main was conſiderably in favour of the kingdom. As the annual imports and exports together roſe to near five millions, and the cuſtoms never yielded ſo much as 200,000 pounds a-year, of which tonnage made a part, it appears, that the new rates, affixed by

[c] in 1622. [d] Johnſtoni hiſt. lib. 19.
[e] Miſſelden's Circle of Commerce, p. 121. [f] Id. ibid. [g] Happy future State of England, p. 78.

James, did not, on the whole, amount to one ſhilling in the pound, and conſequently were ſtill inferior to the intention of the original grant of parliament. The Eaſt India company uſually carried out a third of their cargo in commodities [g]. The trade to Turkey was one of the moſt gainful to the nation [h]. It appears that copper halfpence and farthings began to be coined in this reign [i]. Tradeſmen had commonly carried on their retail buſineſs chiefly by means of leaden tokens. The ſmall ſilver penny was ſoon loſt, and at this time was no where to be found.

Colonies.

WHAT chiefly renders the reign of James memorable, is the commencement of the Engliſh colonies in America; colonies eſtabliſhed on the nobleſt footing that has been known in any age or nation. The Spaniards, being the firſt diſcoverers of the new world, immediately took poſſeſſion of the precious mines which they found there; and, by the allurement of great riches, they were tempted to depopulate their own country, as well as that which they conquered; and added the vice of ſloth to thoſe of avidity and barbarity, which had attended their adventurers in thoſe renowned enterprizes. That fine coaſt was entirely neglected, which reaches from St. Auguſtin to Cape Breton, and which lies in all the temperate climates, is watered by noble rivers, and offers a fertile ſoil, but nothing more, to the induſtrious planter. Peopled gradually from England by the neceſſitous and indigent, who, at home, encreaſed neither wealth nor populouſneſs, the colonies, which were planted along that tract, have promoted the navigation, encouraged the induſtry, and even perhaps multiplied the inhabitants of their mother-country. The ſpirit of independency, which was reviving in England, here ſhone forth in its full luſtre, and received new acceſſion from the aſpiring character of thoſe, who, being diſcontented with the eſtabliſhed church and monarchy, had ſought for freedom amidſt thoſe ſavage deſarts.

QUEEN Elizabeth had done little more than given a name to the continent of Virginia; and, after her planting one feeble colony, which quickly decayed, that country was entirely abandoned. But when peace put an end to the military enterprizes againſt Spain, and left ambitious ſpirits no hopes of making any longer ſuch rapid advances towards honour and fortune, the nation began to ſecond the pacific intentions of its monarch, and to ſeek a ſurer, though ſlower expedient, for acquiring riches and glory. In 1606, Newport carried over a colony, and began a ſettlement; which the company erected by patent for that purpoſe in London and Briſtol, took care to ſupply with yearly recruits of proviſions, utenſils, and new inhabitants. About 1609, Argal diſcovered a more direct and ſhorter paſſage to Virginia, and left the tract of the ancient navigators, who had firſt directed their courſe ſouthwards to the tropic, ſailed weſtward by means

[g] Munn's Diſcourſe on the Eaſt India trade Trade, p. 17. [h] Anderſon, vol. i. p. 477.

[h] Mun's Diſcourſe on the Eaſt India

of the trade-winds, and then turned northward, till they reached the Engliſh ſettlements. The ſame year, five hundred perſons under Sir Thomas Gates and Sir George Somers were embarked for Virginia. Somers's ſhip meeting with a tempeſt, was driven into the Bermudas, and laid the foundation of a ſettlement in thoſe iſlands. Lord Delawar afterwards undertook the government of the Engliſh colonies: But notwithſtanding all his care, ſeconded by ſupplies from James, and by money raiſed from the firſt lottery ever known in the kingdom, ſuch difficulties attended the ſettlement of theſe countries, that, in 1614, there were not alive more than 400 men, of all that had been ſent thither. After ſupplying themſelves with proviſions more immediately neceſſary for the ſupport of life, the new planters began the cultivating of tobacco; and James, nowithſtanding his antipathy to that drug, which he affirmed to be pernicious to men's morals as well as their health [k], gave them permiſſion to enter it in England; and he inhibited by proclamation all importation of it from Spain [l]. By degrees, new colonies were eſtabliſhed in that continent, and gave new names to the places where they ſettled, leaving that of Virginia to the province firſt planted. The iſland of Barbadoes was alſo planted in this reign.

SPECULATIVE reaſoners during that age, raiſed many objections to the planting of thoſe remote colonies; and foretold, that, after draining their mother-country of inhabitants, they would ſoon ſhake off her yoke, and erect an independent government in America: But time has ſhewn, that the views, entertained by thoſe who encouraged ſuch generous undertakings, were more juſt and ſolid. A mild government and great naval force preſerved, and may ſtill preſerve during ſome time, the dominion of England over her colonies. And ſuch advantages have commerce and navigation reaped from theſe eſtabliſhments, that more than a fourth of the Engliſh ſhipping is at preſent computed to be employed in carrying on the traffic with the American ſettlements.

AGRICULTURE was anciently very imperfect in England. The ſudden tranſitions, ſo often mentioned by hiſtorians, from the loweſt to the higheſt price of grain, and the prodigious inequality of its value in different years, are ſufficient proofs, that the produce depended entirely on the ſeaſons, and that art had as yet done nothing to fence againſt the injuries of the heavens. During this reign, conſiderable improvements were made, as in moſt arts, ſo in this, the moſt beneficial of any. A numerous catalogue might be formed of books and pamphlets treating of huſbandry, which were written about this time. The nation, however, was ſtill dependent on foreigners for daily bread; and though its exportation of grain now forms a conſiderable branch of its commerce, notwith-

[k] Rymer, tom. xvii. p. 621 [l] Rymer, tom. xvii. p. 621. 633.

ſtanding its probable encreaſe of people, there was, in that period, a regular importation from the Baltic as well as from France; and if it ever ſtopped, the bad conſequences were ſenſibly felt by the nation. Sir Walter Raleigh in his obſervations computes, that two millions went out at one time for corn. It was not till the fifth of Elizabeth, that the exportation of corn had been allowed in England: and Camden obſerves, that agriculture, from that moment, received new life and vigour.

THE endeavours of James, or, more properly ſpeaking thoſe of the nation, for promoting trade, were attended with greater ſucceſs than thoſe for the encouragement of learning. Though the age was by no means deſtitute of eminent writers, a very bad taſte in general prevailed during that period; and the monarch himſelf was not a little infected with it.

Learning and arts.

ON the origin of letters among the Greeks, the genius of poets and orators, as might naturally be expected, was diſtinguiſhed by an amiable ſimplicity, which, whatever rudeneſs may ſometimes attend it, is ſo fitted to expreſs the genuine movements of nature and paſſion, that the compoſitions poſſeſſed of it muſt ever appear valuable to the diſcerning part of mankind. The glaring figures of diſcourſe, the pointed antitheſis, the unnatural conceit, the jingle of words; ſuch falſe ornaments were not employed by early writers; not becauſe they were rejected, but becauſe they ſcarcely ever occurred to them. An eaſy, unforced ſtrain of ſentiment runs through their compoſitions; though at the ſame time we may obſerve, that, amidſt the moſt elegant ſimplicity of thought and expreſſion, one is ſometimes ſurprized to meet with a poor conceit, which had preſented itſelf unſought for, and which the author had not acquired critical obſervation enough to condemn [m]. A bad taſte ſeizes with avidity theſe frivolous beauties, and even perhaps a good taſte, ere ſurfeited by them: They multiply every day more and more in the faſhionable compoſitions: Nature and good ſenſe are neglected: Laboured ornaments ſtudied and admired: And a total degeneracy of ſtyle and language prepares the way for barbariſm and ignorance. Hence the Aſiatic manner was found to depart ſo much from the ſimple purity of Athens: Hence that tinſel eloquence, which is obſerveable in many of the Roman writers, from which Cicero himſelf is not wholly exempted, and which ſo much prevails in Ovid, Seneca, Lucan, Martial and the Plinys.

[m] The name of Polynices, one of Oedipus's ſons, means in the original *much quarrelling*. In the altercations between the two brothers, in Æſchylus, Sophocles, and Euripides, this conceit is employed; and it is remarkable, that ſo poor a conundrum could not be rejected by any of theſe three poets, ſo juſtly celebrated for their taſte and ſimplicity. What could Shakeſpeare have done worſe? Terence has his *inceptio eſt amentium, non amantium*. Many ſimilar inſtances will occur to the learned. It is well known that Ariſtotle treats very ſeriously of puns, divides them into ſeveral claſſes, and recommends the uſe of them to orators.

ON the revival of letters, when the judgment of the public is yet raw and unformed, this falſe gliſter catches the eye, and leaves no room, either in eloquence or poetry, for the durable beauties of ſolid ſenſe and lively paſſion. The reigning genius is then diametrically oppoſite to that which prevails on the firſt origin of arts. The Italian writers, it is evident, even the moſt celebrated, have not reached the proper ſimplicity of thought and compoſition; and in Petrarch, Taſſo, Guarini, frivolous witticiſms and forced conceits are but too predominant. The period, during which letters were cultivated in Italy, was ſo ſhort as ſcarcely to allow leiſure for correcting this adulterated reliſh.

THE more early French writers are liable to the ſame reproach. Voiture, Brizac, even Corneille, have too much affected thoſe ambitious ornaments, of which the Italians in general, and the leaſt pure of the ancients, ſupplied them with ſo many models. And it was not till late, that obſervation and reflection gave riſe to a more natural turn of thought and compoſition among that elegant people.

A LIKE character may be extended to the firſt Engliſh writers; ſuch as flouriſhed during the reign of Elizabeth and James, and even till long afterwards. Learning, on its revival in this iſland, was attired in the ſame unnatural garb which it wore at the time of its decay among the Greeks and Romans. And, what may be regarded as a misfortune, the Engliſh writers were poſſeſſed of great genius before they were endowed with any degree of taſte, and by that means gave a kind of ſanction to thoſe forced turns and ſentiments which they ſo much affected. Their diſtorted conceptions and expreſſions are attended with ſuch vigour of mind, that we admire the imagination which produced them, as much as we blame the want of judgment which gave them admittance. To enter into an exact criticiſm of the writers of that age, would exceed our preſent purpoſe. A ſhort character of the moſt eminent, delivered with the ſame freedom which hiſtory exerciſes over kings and miniſters, may not be improper. The national prepoſſeſſions which prevail, will perhaps render the former liberty not the leaſt perilous for an Author.

IF Shakeſpeare be conſidered as a MAN, born in a rude age, and educated in the loweſt manner, without any inſtruction, either from the world or from books, he may be regarded as a prodigy. If repreſented as a POET, capable of furniſhing a proper entertainment to a refined or intelligent audience, we muſt abate much of this eulogy. In his compoſitions, we regret, that many irregularities, and even abſurdities, ſhould ſo frequently diſfigure the animated and paſſionate ſcenes intermixed with them; and at the ſame time, we perhaps admire the more thoſe beauties, on account of their being ſurrounded with ſuch deformities. A ſtriking pecu-

liarity of ſentiment, adapted to a ſingular character, he frequently hints, as it were by inſpiration; but a reaſonable propriety of thought he cannot for any time uphold. Nervous and pictureſque expreſſions, as well as deſcriptions, abound in him; but it is in vain we look either for purity or ſimplicity of diction. His total ignorance of all theatrical art and conduct, however material a defect; yet, as it affects the ſpectator, rather than the reader, we can more eaſily excuſe, than that want of taſte which often prevails in his productions, and which gives way, only by intervals, to the irradiations of genius. A great and fertile genius he certainly poſſeſſed, and one enriched equally with a tragic and comic vein; but he ought to be cited as a proof, how dangerous it is to rely on theſe advantages alone for attaining an excellence in the finer arts [n]. And there may even remain a ſuſpicion, that we over-rate, if poſſible, the greatneſs of his genius; in the ſame manner as bodies often appear more gigantic, on account of their being diſproportioned and miſhapen: He died in 1616, aged 53 years:

JOHNSON poſſeſſed all the learning which was wanting to Shakeſpeare, and wanted all the genius of which the other was poſſeſſed. Both of them were equally deficient in taſte and elegance, in harmony and correctneſs. A ſervile copyiſt of the ancients, Johnſon tranſlated into bad Engliſh the beautiful paſſages of the Greek and Roman authors, without accommodating them to the manners of his age and country. His merit has been totally eclipſed by that of Shakeſpeare, whoſe rude genius prevailed over the rude art of his cotemporary. The Engliſh theatre has ever ſince taken a ſtrong tincture of Shakeſpeare's ſpirit and character; and thence it has proceeded, that the nation has undergone from all its neighbours, the reproach of barbariſm, from which its valuable productions in ſome other parts of learning would otherwiſe have exempted it. Johnſon had a penſion of a hundred marks from the king, which Charles afterwards augmented to a hundred pounds. He died in 1637, aged 63.

FAIRFAX has tranſlated Taſſo with an elegance and eaſe, and, at the ſame time, with an exactneſs, which, for that age, are ſurpriſing. Each line in the original is faithfully rendered by a correſpondent line in the tranſlation. Harrington's tranſlation of Arioſto is not likewiſe without its merit. It is to be regretted, that theſe poets ſhould have imitated the Italians in their ſtanza, which has a prolixity and uniformity in it that diſpleaſes in long performances. They had otherwiſe, as well as Spencer, who went before them, contributed much to the poliſhing and refining of the Engliſh verſification.

IN Donne's ſatires, when carefully inſpected, there appear ſome flaſhes of wit and ingenuity; but theſe totally ſuffocated and buried by

[n] *Invenire etiam barbari ſolent, diſponere etornare non niſi eruditus.* PLIN.

the harſheſt and moſt uncouth expreſſion that is any-where to be met with.

If the poetry of the Engliſh was ſo rude and imperfect during that age, we may reaſonably expect that their proſe would be liable to ſtill greater objections. Though the latter appears the more eaſy, as it is the more natural method of compoſition; it has ever in practice been found the more rare and difficult; and there ſcarcely is an inſtance, in any language, that it has reached a degree of perfection, before the refinement of poetical numbers and expreſſion. Engliſh proſe, during the reign of James, was written with little regard to the rules of grammar, and with a total diſregard to the elegance and harmony of the period. Stuffed with Latin ſentences and quotations, it likewiſe imitated thoſe inverſions, which, however forcible and graceful in the ancient languages, are entirely contrary to the idiom of the Engliſh. I ſhall indeed venture to affirm, that whatever uncouth phraſes and expreſſions occur in old books, they were chiefly owing to the unformed taſte of the author; and that the language, ſpoken in the courts of Elizabeth and James, was very little different from that which we meet with at preſent in good company. Of this opinion, the little ſcraps of ſpeeches which are found in the parliamentary journals, and which carry an air ſo oppoſite to the laboured orations, ſeem to be a ſufficient proof; and there want not productions of that age, which, being written by men who were not authors by profeſſion, retain a very natural manner, and may give us ſome idea of the language which prevailed among men of the world. I ſhall particularly mention Sir John Davis's diſcovery, Throgmorton's, Eſſex's, and Nevil's letters. In a more early period, Cavendiſh's life of cardinal Wolſey, the pieces that remain of biſhop Gardiner, and Anne Boleyn's letter to the king, differ little or nothing from the language of our time.

The great glory of literature in this iſland, during the reign of James, was lord Bacon. Moſt of his performances were compoſed in Latin; though he poſſeſſed neither the elegance of that, nor of his native tongue. If we conſider the variety of talents diſplayed by this man; as a public ſpeaker, a man of buſineſs, a wit, a courtier, a companion, an author, a philoſopher; he is juſtly the object of great admiration. If we conſider him merely as an author and philoſopher, the light in which we view him at preſent, though very eſtimable, he was yet inferior to his cotemporary Galilæo, perhaps even to Kepler. Bacon pointed out at a diſtance the road to true philoſophy: Galilæo, both pointed it out to others, and made himſelf conſiderable advances in it. The Engliſhman was ignorant of geometry: The Florentine revived that ſcience, excelled in it, and was the firſt that applied it, together with experiment, to natural philoſophy. The former rejected, with the moſt poſitive diſdain, the ſyſtem of Coper-

nicus: The latter fortified it with new proofs derived both from reaſon and the ſenſes. Bacon's ſtyle is ſtiff and rigid: His wit, though often brilliant, is alſo often unnatural and far-fetched; and he ſeems to be the original of thoſe pointed ſimilies and long-ſpun allegories, which ſo much diſtinguiſh the Engliſh authors: Galilæo is a lively and agreeable, though ſomewhat a prolix writer. But Italy not united in any ſingle government, and perhaps ſatiated with that literary glory which it has poſſeſſed both in ancient and modern times, has too much neglected the renown which it has acquired by giving birth to ſo great a man. That national ſpirit which prevails among the Engliſh, and which forms their great happineſs, is the cauſe why they beſtow on all their eminent writers, and on Bacon among the reſt, ſuch praiſes and acclamations, as may often appear partial and exceſſive. He died in 1626, in the 66th year of his age.

IF the reader of Raleigh's hiſtory can have the patience to wade through the Jewiſh and Rabbinical learning which compoſe the half of the volume, he will find, when he comes to the Greek and Roman ſtory, that his pains are not unrewarded. Raleigh is the beſt model of that ancient ſtyle, which ſome writers would affect to revive at preſent. He was beheaded in 1618, aged 66 years.

CAMDEN'S hiſtory of queen Elizabeth may be eſteemed good compoſition, both for the ſtyle and the matter. It is written with ſimplicity of expreſſion, very rare in that age, and with a regard to truth. It would not perhaps be too much to affirm, that it is among the beſt hiſtorical productions which have yet been compoſed by any Engliſhman. It is well known that the Engliſh have not much excelled in that kind of literature. He died in 1622, aged 73 years.

WE ſhall mention the king himſelf at the end of theſe Engliſh writers; becauſe that is *his* place, when conſidered as an author. It may ſafely be affirmed, that the mediocrity of James's talents in literature, joined to the great change in national taſte, is one cauſe of that contempt under which his memory labours, and which is often carried by party-writers to a great extreme. It is remarkable, how different from ours were the ſentiments of the ancients with regard to learning. Of the firſt twenty Roman emperors, counting from Cæſar to Severus, above the half were authors; and though few of them ſeem to have been eminent in that profeſſion, it is always remarked to their praiſe, that, by their example, they encouraged literature. Not to mention Germanicus, and his daughter Agrippina, perſons ſo nearly allied to the throne, the greater part of the claſſic writers, whoſe works remain, were men of the higheſt quality. As every human advantage is attended with inconveniencies, the change of men's ideas in this particular may probably be aſcribed to the invention of

printing: which has rendered books ſo common, that even men of ſlender fortunes can have acceſs to them.

THAT James was but a middling writer, may be allowed: That he was a contemptible one, can by no means be admitted. Whoever will read his Baſilicon Doron, particularly the two laſt books, the true law of free monarchies, his anſwer to cardinal Perron, and almoſt all his ſpeeches and meſſages to parliament, will confeſs him to have poſſeſſed no mean genius. If he wrote concerning witches and apparitions; who, in that age, did not admit the reality of theſe fictitious beings? If he has compoſed a commentary on the Revelations, and proved the pope to be Antichriſt; may not a ſimiliar reproach be extended to the famous Napier; and even to Newton, at a time when learning was much more advanced than during the reign of James? From the groſſneſs of its ſuperſtitions, we may infer the ignorance of an age; but never ſhould pronounce concerning the folly of an individual, from his admitting popular errors, conſecrated by the appearance of religion.

SUCH a ſuperiority do the purſuits of literature poſſeſs above every other occupation, that even he who attains but a mediocrity in them, merits the pre-eminence above thoſe that excel the moſt in the common and vulgar profeſſions. The ſpeaker of the houſe of commons is uſually an eminent lawyer; yet the harangue of his Majeſty will always be found much ſuperior to that of the ſpeaker, in every parliament during this reign.

EVERY ſcience, as well as polite literature, muſt be conſidered as being yet in its infancy. Scholaſtic learning and polemical divinity retarded the growth of all true knowledge. Sir Henry Saville, in the preamble of that deed by which he annexed a ſalary to the mathematical and aſtronomical profeſſors in Oxford, ſays, that geometry was almoſt totally abandoned and unknown in England [o]. The beſt learning of that age was the ſtudy of the ancients. Caſaubon, eminent for this ſpecies of knowledge, was invited over from France by James, and encouraged by a penſion of 300 l. a-year, as well as by church preferments [p]. The famous Antonio di Dominis archbiſhop of Spalatro, no deſpicable philoſopher, came likewiſe into England, and afforded great triumph to the nation, by their gaining ſo conſiderable a proſelyte from the papiſts. But the mortification followed ſoon after: The archbiſhop, though advanced to ſome eccleſiaſtical preferments [q], received not encouragement ſufficient to ſatisfy his ambition: He made his eſcape into Italy, where he died in confinement.

[o] Rymer, tom. xvii p. 217. [p] Ibid. p. 709. [q] Rymer, tom xvii. p. 95.

CHARLES I.

CHAP. L.

A parliament at Weſtminſter——At Oxford——Naval expedition againſt Spain——Second parliament——Impeachment of Buckingham——Violent meaſures of the court——War with France——Expedition to the iſle of Rhé

NO ſooner had Charles taken into his hands the reins of government, than he ſhowed an impatience to aſſemble the great council of the nation; and he would gladly, for the ſake of diſpatch, have called together the ſame parliament, which had ſitten under his father, and which lay at that time under prorogation. But being told that this meaſure would appear unuſual, he iſſued writs for ſummoning a new parliament on the 7th of May; and it was not without regret that the arrival of the princeſs Henrietta, whom he had eſpouſed by proxy, obliged him to delay, by repeated prorogations, their meeting till the eighteenth of June, when they aſſembled at Weſtminſter for the diſpatch of buſineſs. The young prince, unexperienced and impolitic, regarded as ſincere all the praiſes and careſſes with which he had been loaded, while active in procuring the rupture with the houſe of Auſtria. And beſides that he laboured under great neceſſities, he haſtened with alacrity to a period when he might receive the moſt undoubted teſtimony of the dutiful attachment of his ſubjects. His diſcourſe to the parliament was full of ſimplicity and cordiality. He lightly mentioned the occaſion which he had for ſupply[r]. He employed no intrigue to influence the ſuffrages of the members. He would not even allow the officers of the crown, who had ſeats in the houſe, to mention any particular ſum which might be expected by him. Secure of the affections of the commons, he was reſolved that their bounty ſhould be entirely their own deed; unaſked, unſolicited; the genuine fruit of ſincere confidence and regard.

1625. 27th March

18th June. A parliament at Weſtminſter.

THE houſe of commons accordingly took into conſideration the buſineſs of ſupply. They knew that all the money granted by the laſt parliament

[r] Ruſhworth, vol. i. p. 171. Parl. Hiſt. vol. vi. p. 346. Franklyn, p. 108.

had been expended on naval and military armaments; and that great anticipations were likewiſe made on the revenues of the crown. They were not ignorant that Charles was loaded with a large debt, contracted by his father, who had borrowed money both from his own ſubjects, and from foreign princes. They had learned by experience, that the public revenue could with difficulty maintain the dignity of the crown, even under the ordinary charges of government. They were ſenſible, that the preſent war was, very lately, the reſult of their own importunate applications and intreaties, and that they had ſolemnly engaged to ſupport their ſovereign in the management of it. They were acquainted with the difficulty of military enterprizes, directed againſt the whole houſe of Auſtria; againſt the king of Spain, poſſeſſed of the greateſt riches and moſt extenſive dominions of any prince in Europe; againſt the emperor Ferdinand, hitherto the moſt fortunate monarch of his age, who had ſubdued and aſtoniſhed Germany by the rapidity of his victories. Deep impreſſions they ſaw, muſt be made by the Engliſh ſword, and a vigorous offenſive war be waged againſt theſe mighty potentates, ere they would reſign a principality, which they had now fully ſubdued, and which they held in ſecure poſſeſſion, by its being ſurrounded with all their other territories.

To anſwer, therefore, all theſe great and important ends; to ſatisfy their young king in the firſt requeſt which he made them; to prove their ſenſe of the many royal virtues, particularly œconomy, with which Charles was endowed; the houſe of commons, conducted by the wiſeſt and ableſt ſenators that had ever flouriſhed in England, thought proper to confer on the king a ſupply of two ſubſidies, amounting to 112,000 pounds [5].

THIS meaſure, which diſcovers rather a cruel mockery of Charles, than any ſerious deſign of ſupporting him, appears ſo extraordinary, when conſidered in all its circumſtances, that it naturally ſummons up our attention, and raiſes an enquiry concerning the cauſes of a conduct, unprecedented in an Engliſh parliament. So numerous an Aſſembly, compoſed of perſons of various diſpoſitions, was not, it is probable, wholly influenced by the ſame motives; and few declared openly their true reaſon. We ſhall, therefore, approach nearer to the truth, if we mention all the views, which the preſent conjuncture could ſuggeſt to them.

IT is not to be doubted, but ſpleen and ill-will againſt the duke of Buckingham had an influence with many. So vaſt and rapid a fortune, ſo little merited, could not fail to excite public envy; and, however men's hatred might have been ſuſpended for a moment, while the duke's conduct ſeemed to gratify their paſſions and their prejudices, it was impoſ-

[5] A ſubſidy was now fallen to about 56,000 pounds. Cabala, p. 224. firſt edit.

ſible for him long to preſerve the affections of the people. His influence over the modeſty of Charles exceeded even that which he had acquired over the weakneſs of James; nor was any public meaſure conducted but by his counſel and direction. His vehement temper prompted him to raiſe ſuddenly, to the higheſt elevation, his flatterers and dependents. And upon the leaſt occaſion of diſpleaſure, he threw them down with equal impetuoſity and violence. Implacable in his hatred; fickle in his friendſhips: All men were either regarded as his enemies, or dreaded ſoon to become ſuch. The whole power of the kingdom was graſped by his inſatiable hand; while he both engroſſed the intire confidence of his maſter, and held, inveſted in his ſingle perſon, the moſt conſiderable offices of the crown.

HOWEVER the ill-humour of the commons might have been encreaſed by theſe conſiderations, we are not to ſuppoſe them the ſole motives. The laſt parliament of James, amidſt all their joy and feſtivity, had given him a ſupply very diſproportioned to his demand and to the occaſion. And, as every houſe of commons, which was elected during forty years, ſucceeded to all the paſſions and principles of their predeceſſors; we ought rather to account for this obſtinacy from the general ſituation of the kingdom during that whole period, than from any circumſtances which attended this particular conjuncture.

THE nation was very little accuſtomed at that time to the burthen of taxes, and had never opened their purſes in any degree for ſupporting their ſovereign. Even Elizabeth, notwithſtanding her vigour and frugality, and the neceſſary wars in which ſhe was engaged, had reaſon to complain of the commons in this particular; nor could the authority of that princeſs, which was otherwiſe almoſt abſolute, ever extort from them the requiſite ſupplies. Habits, more than reaſon, we find in every thing, to be the governing principle of mankind. In this view likewiſe the ſinking of the value of ſubſidies muſt be conſidered as a loſs to the king. The parliament ſwayed by cuſtom would not augment their number in the ſame proportion.

THE puritanical party, though diſguiſed, had a great authority over the kingdom; and many of the leaders among the commons had ſecretly embraced the rigid tenets of that ſect. All theſe were diſguſted with the court, both by the prevalence of the principles of civil liberty eſſential to their party; and on account of the reſtraint, under which they were held by the eſtabliſhed hierarchy. In order to fortify himſelf againſt the reſentment of James, Buckingham had affected popularity, and entered into the cabals of the puritans: But, being ſecure of the confidence of Charles, he had ſince abandoned this party; and, on that account, was the more expoſed to their hatred and reſentment. Though the religious ſchemes of ma-

ny of the puritans, when explained, appear pretty frivolous, we are not thence to imagine, that they were purſued by none but perſons of weak underſtandings. Some men of the greateſt parts and moſt extenſive knowledge that the nation, at this time, produced, could not enjoy any peace of mind; becauſe obliged to hear prayers offered up to the Divinity by a prieſt covered with a white linen veſtment.

THE match with France and the articles in favour of catholics, which were ſuſpected to be in the treaty, were likewiſe cauſes of diſguſt to this whole party: Though it muſt be remarked, that the connections with that crown were much leſs obnoxious to the proteſtants, and leſs agreeable to the catholics, than the alliance formerly projected with Spain, and were therefore received rather with pleaſure than diſſatisfaction.

To all theſe cauſes we muſt yet add another, of conſiderable moment. The houſe of commons, we may obſerve, was almoſt entirely governed by a ſet of men of the moſt uncommon capacity and the largeſt views; Men who were now formed into a regular party, and united, as well by fixed aims and projects, as by the hardſhips which ſome of them had undergone in proſecution of them. Among theſe we may mention the names of Sir Edward Coke, Sir Edwin Sandys, Sir Robert Philips, Sir Francis Seymour, Sir Dudley Digges, Sir John Elliot, Sir Thomas Wentworth, Mr. Selden, and Mr. Pym. Animated with a warm regard to liberty, theſe generous patriots ſaw with regret an unbounded power exerciſed by the crown, and were reſolved to ſeize the opportunity, which the king's neceſſities offered them, of reducing the prerogative within more reaſonable compaſs. Though their anceſtors had blindly given way to practices and precedents favourable to kingly power, and had been able, notwithſtanding, to preſerve ſome ſmall remains of liberty; it would be impoſſible they thought, when all theſe pretenſions were methodized and proſecuted by the encreaſing knowledge of the age, to maintain any ſhadow of popular government, in oppoſition to ſuch unlimited authority in the ſovereign. It was neceſſary to fix a choice: Either to abandon entirely the privileges of the people, or to ſecure them by firmer and more preciſe barriers than the conſtitution had hitherto provided for them. In this dilemma, men of ſuch aſpiring geniuſes and ſuch independent fortunes could not long deliberate: They boldly embraced the ſide of freedom, and reſolved to grant no ſupplies to their neceſſitous prince, without extorting conceſſions in favour of civil liberty. The end, they eſteemed beneficent and noble: The means, regular and conſtitutional. To grant or refuſe ſupplies was the undoubted privilege of the commons. And as all human governments, particularly thoſe of a mixed frame, are in continual fluctuation, it was as natural, in their opinion, and allowable, for popular aſſemblies to take advantage of favourable incidents, in order to ſecure the ſubject; as for monarchs, in order

to extend their own authority. With pleasure they beheld the king involved in a foreign war, which rendered him every day more dependent on the parliament; while at the same time the situation of the kingdom, even without any military preparations, gave it sufficient security against all invasion from foreigners. Perhaps too, it had partly proceeded from expectations of this nature, that the popular leaders had been so urgent for a rupture with Spain; nor is it credible, that religious zeal could so far have blinded all them as to make them discover, in such a measure, any appearance of necessity, or any hopes of success.

But, however natural all these sentiments might appear to the country party, it is not to be imagined, that Charles would entertain the same ideas. Strongly prejudiced in favour of the duke, whom he had heard so highly extolled in parliament, he could not conjecture the cause of so sudden an alteration of their opinions. And when the war, which they themselves had so earnestly solicited, was at last commenced, the immediate desertion of their sovereign could not but seem very unaccountable. Even though no farther motive had been suspected, the refusal of supply in such circumstances, would naturally to him appear cruel and deceitful: But when he perceived, that this measure proceeded from an intention of encroaching on his authority, he failed not to regard these aims as highly criminal and traitorous. Those lofty ideas of monarchical power, which were very commonly adopted during that age, and to which the ambiguous nature of the English constitution, gave so plausible an appearance, were firmly rivetted in Charles; and however moderate his temper, the natural and unavoidable prepossessions of self-love, joined to the late uniform precedents in favour of prerogative, had made him regard his political tenets as certain and uncontroverted. Taught to consider even the antient laws and constitution more as lines to direct his conduct than barriers to withstand his power: a conspiracy to erect new ramparts, in order to straiten his authority, appeared but one degree removed from open sedition and rebellion. So atrocious in his eyes was such a design, that he seems even unwilling to impute it to the commons: And, tho' he was constrained to adjourn the parliament by reason of the plague which at that time raged in London; he immediately reassembled them at Oxford, and made a new attempt to gain from them some supplies in such an urgent necessity.

1625. 11th July.

1st August.

Parliament at Oxford.

Charles now found himself obliged to depart from that delicacy which he had formerly maintained. By himself or his ministers, he entered into a particular detail, both of the alliances which he had formed, and of the military operations which he had projected [u]. He told the parliament, that by a

[u] Dugdale, p. 25, 26

promiſe of ſubſidies, he had engaged the king of Denmark to take part in the war; that this monarch intended to enter Germany by the north, and to rouze to arms thoſe princes, who impatiently longed for an opportunity of aſſerting the liberty of the empire; that Mansfeldt had undertaken to penetrate with an Engliſh army into the Palatinate, and by that quarter to excite the members of the evangelical union; that the ſtates muſt be ſupported in the unequal warfare which they maintained with Spain; that no leſs a ſum than 700,000 pounds a year had been found, by computation, requiſite for all theſe purpoſes; that the maintenance of the fleet and the defence of Ireland demanded an annual expence of 400,000 pounds; that he himſelf had already exhauſted and anticipated, in the public ſervice, his whole revenue, and had ſcarcely left ſufficient for the daily ſubſiſtence of himſelf and his family [w]; that on his acceſſion to the crown, he found a debt of above 300,000 pounds, contracted by his father in ſupport of the Palatine; and that, while prince of Wales, he had himſelf contracted debts, notwithſtanding his great frugality, to the amount of 70,000 pounds, which he had expended entirely on naval and military armaments. After mentioning all theſe facts, the king even condeſcended to uſe entreaties. He ſaid, that this requeſt was the firſt that he had ever made them; that he was young and in the commencement of his reign; and, if he now met with kind and dutiful uſage, it would endear to him the uſe of parliaments, and would for ever preſerve an entire harmony between him and his people [x].

To theſe reaſons the commons remained inexorable. Notwithſtanding that the king's meaſures, on the ſuppoſition of a foreign war, which they had conſtantly demanded, were altogether unexceptionable, they obſtinately refuſed any farther aid. Some members favourable to the court, having inſiſted on an addition of two fifteenths to the former ſupply, even this pittance was refuſed [y]; though it was known that a fleet and army were lying at Portſmouth, in great want of pay and proviſions; and that Buckingham the admiral, and the treaſurer of the navy, had advanced on their own credit near a hundred thouſand pounds for the ſea ſervice [z]. Beſides all their other motives, the houſe of commons had made a diſcovery, which, as they wanted but a pretence for their refuſal, inflamed them againſt the court and againſt the duke of Buckingham.

WHEN James deſerted the Spaniſh alliance, and courted that of France, he had promiſed to furniſh Lewis, who was entirely deſtitute of naval force, with one ſhip of war, together with ſeven armed veſſels, hired from the merchants. Theſe the French court had pretended they would em-

[w] Parl. Hiſt. vol. vi. p. 396. [x] Ruſh. vol. i. p. 177, 178, &c. Parl. Hiſt. vol. vi. p. 399. Franklyn, p. 108, 109. Journ. 10 Aug. 1625. [y] Ruſh. vol. i. p. 190. [z] Parl. Hiſt. vol. vi. p. 390.

ploy againſt the Genoeſe, who being firm and uſeful allies to the Spaniſh monarchy, were naturally regarded with an evil eye, both by the king of France and of England. When theſe veſſels, by Charles's orders, arrived at Diepe, there aroſe a ſtrong ſuſpicion, that they were to ſerve againſt Rochelle. The ſailors were inflamed. That race of men, who are at preſent both careleſs and ignorant in all matters of religion, were at that time only ignorant. They drew up a remonſtrance to Pennington their commander; and ſigning all their names in a circle, leſt he ſhould diſcover the ringleaders, they laid it under his prayer book. Pennington declared, that he would rather be hanged in England for diſobedience, than fight againſt his brother proteſtants in France. The whole ſquadron ſailed immediately to the Downs. They received new orders from the duke of Buckingham to return to Diepe. As the duke knew, that authority alone would not ſuffice, he employed much art and many ſubtilities to engage them to obedience; and a rumour which was ſpread, that peace had been concluded between the French king and the hugonots, aſſiſted him in his purpoſe. When they arrived at Diepe, they found that they had been deceived. Sir Ferdinando Gorges, who commanded one of the veſſels, broke thro' and returned to England. All the officers and ſailors of all the other ſhips, notwithſtanding great offers made them by the French, immediately deſerted. One gunner alone preferred duty towards his king to the cauſe of religion; and he was afterwards killed in charging a cannon before Rochelle [a]. The care which hiſtorians have taken to record this frivolous event, proves with what pleaſure the news was received by the nation.

THE houſe of commons, when informed of theſe tranſactions ſhowed the ſame attachment with the ſailors for the proteſtant religion; nor was their zeal much better guided by reaſon and ſound policy. It was not conſidered, that it was highly probable the king and the duke themſelves had here been deceived by the artifices of France, nor had they any hoſtile intention againſt the Hugonots; that, were it otherwiſe, yet might their meaſures be juſtified by the moſt obvious and moſt received maxims of civil policy; that, if the force of Spain were really ſo exorbitant as the commons imagined, the French monarch was the only prince that could oppoſe its progreſs, and preſerve the balance of Europe; that his power was at preſent fettered by the Hugonots, who, being poſſeſſed of many privileges and even of fortified towns, formed an empire within his empire, and kept him in perpetual jealouſy and inquietude; that an inſurrection had been at that time, wantonly and voluntarily, formed by their leaders, who, being diſguſted in ſome court-intrigue, took advantage of the never-failing pretence of religion, in order to cover their

[a] Franklyn, p. 109. Ruſh. vol. i. p. 175, 176, &c. 325, 326, &c.

rebellion; that the Dutch, influenced by these views, had ordered a squadron of twenty ships to join the French fleet, employed against the inhabitants of Rochelle [b]; that the Spanish monarch, sensible of the same consequences, secretly supported the protestants in France; and that all princes had ever sacrificed to reasons of state the interests of their religion in foreign countries. All these obvious considerations had no influence. Great murmurs and discontents still prevailed in parliament. The Hugonots though they had no ground of complaint against the French court, were thought to be as much entitled to assistance from England, as if they had taken arms in defence of their liberties and religion against the persecuting rage of the catholics. And it plainly appears from this incident, as well as from many others, that, of all the European nations, the British were at that time, and till long after, the most under the influence of that religious spirit, which tends rather to inflame bigotry than encrease peace and mutual charity.

ON this occasion, the commons renewed their eternal complaints against the growth of popery, which was ever the chief of their grievances, and now their only one [c]. They demanded a strict execution of the penal laws against the catholics, and remonstrated against some late pardons granted to priests [d]. They attacked Montague, one of the king's chaplains, on account of a moderate book, which he had lately published, and which, to their great disgust, saved virtuous catholics, as well as other Christians, from eternal torments [e]. Charles gave them a gracious and a compliant answer to all their remonstrances. He was however, in his heart extremely averse to these furious measures. Though a determined protestant, by principle as well as inclination, he had entertained no violent horror against popery; and a little humanity, he thought, was due by the nation to the religion of their ancestors. That degree of liberty, which is now indulged to catholics, though a party much more obnoxious than during the reign of the Stuarts, it suited neither with Charles's sentiments, nor the humour of the age to allow them. An abatement of the more rigorous laws was all he intended; and his engagements with France, notwithstanding that their regular execution had never been promised or expected, required of him some indulgence. But so unfortunate was this prince, that no measure, embraced during this whole reign, was ever attended with more unhappy and more fatal consequences.

THE extreme rage against popery was a sure characteristic of puritanism. The house of commons discovered other infallible symptoms of the prevalence of that party. They petitioned the king for replacing such able clergy as had been silenced for want of conformity to the ceremonies [f].

[b] Journ. 18 April, 1626. [c] Franklyn p. 3, &c. [d] Parl. Hist. vol. vi. p. 374. Journ. Aug. 1625. [e] Parl. Hist. vol. vi p. 353. Journ. 7 July, 1625. [f] Rush. vol. i. p. 281.

They alſo enacted laws for the ſtrict obſervance of Sunday which the Puritans affected to call the Sabbath, and which they ſanctified by the moſt melancholy indolence [g]. It is to be remarked, that the different appellations of this feſtival were at that time known ſymbols of the different parties.

THE king, finding that the parliament was reſolved to grant him no ſupply, and would furniſh him with nothing but empty proteſtations of duty [h], or diſagreeable complaints of grievances; took advantage of the plague [i], which began to appear at Oxford, and on that pretence, immediately diſſolved them. By finiſhing the ſeſſion with a diſſolution, inſtead of prorogation, he ſufficiently expreſſed his diſpleaſure at their conduct.

To ſupply the want of parliamentary aids, Charles iſſued privy-ſeals for borrowing money from his ſubjects [k]. The advantage reaped by this expedient was a ſmall compenſation for the diſguſt which it occaſioned: By means, however, of that ſupply, and by other expedients, he was, though with difficulty, enabled to equip his fleet. It conſiſted of eighty veſſels, great and ſmall; and carried on board an army of 10,000 men. Sir Edward Cecil, lately created Viſcount Wimbleton, was entruſted with the command. He ſailed immediately for Cadiz, and found the bay full of Spaniſh ſhips of great value. He either neglected to attack theſe ſhips, or attempted it prepoſterouſly. The army was landed, and a fort taken: But the undiſciplined ſoldiers, finding ſtore of wine, could not be reſtrained from the utmoſt exceſſes. Farther ſtay appearing fruitleſs, they were reimbarked; and the fleet put to ſea with an intention of intercepting the Spaniſh galleons. But the plague having ſeized the ſeamen and ſoldiers, they were obliged to abandon all hopes of this prize, and return to England. Loud complaints were made againſt the court for entruſting ſo important a command to a man like Cecil, whom, though he poſſeſſed great experience, the people, judging by the event, eſteemed of ſlender capacity [l].

1625 Aug. 12. October 1. Naval expedition againſt Spain. November.

CHARLES, having failed of ſo rich a prize, was obliged again to have recourſe to a parliament. Though the ill ſucceſs of his enterprizes diminiſhed his authority, and ſhowed every day more plainly the 1626.

[g] 1 Car. I. cap. 1 Journ. 21 June, 1615. [h] Franklyn, p. 113. Ruſhworth, vol. i. p. 190.

[i] The plague was really ſo violent, that it had been moved in the houſe, at the beginning of the ſeſſion, to petition the king to adjourn them. Journ. 21 June, 1625. So it was impoſſible to enter upon grievances, even if there had been any. The only buſineſs of the parliament was to give ſupply, which was ſo much wanted by the king, in order to carry on the war in which they had engaged him.

[k] Ruſh. vol. i. p. 192. Parl. Hiſt. vol. vi. p. 407. [l] Franklyn, p. 113. Ruſhworth, vol. i. p. 196.

imprudence of the Spaniſh war; though the increaſe of his neceſſities rendered him more dependent, and more expoſed to the encroachments of the commons; he was reſolved to try once more that regular and conſtitutional expedient for ſupply. Perhaps too, a little political art, which at that time he practiſed, was much truſted to. He had named four popular leaders, ſheriffs of counties; Sir Edward Coke, Sir Robert Philips, Sir Thomas Wentworth, and Sir Francis Seymour; and, though the queſtion had been formerly much conteſted [m], he thought that he had by that means incapacitated them from being elected members. But his intention being ſo evident, rather put the commons more upon their guard. Enow of patriots ſtill remained to kept up the ill humour of the houſe; and men needed but little inſtruction or rhetoric to recommend to them practices, which encreaſed their own importance and conſideration. The weakneſs of the court alſo could not more evidently appear, than by its being reduced to uſe ſo ineffectual an expedient, in order to obtain an influence over the commons.

1626. Second parliament.

February 6. THE views, therefore, of the laſt parliament were immediately adopted; as if the ſame men had been every where elected, and no time had intervened ſince their meeting. When the king laid before the houſe his neceſſities, and aſked for ſupply, they immediately voted him three ſubſidies and three fifteenths; and though they afterwards added one ſubſidy more, the ſum was little proportioned to the greatneſs of the occaſion, and ill fitted to promote thoſe views of ſucceſs and glory, for which the young prince, in his firſt enterprize, ſo ardently longed. But this circumſtance was not the moſt diſagreeable one. The ſupply was only voted by the commons. The paſſage of that vote into a law was reſerved till the end of the ſeſſion [n]. A condition was thereby made, in a very undiſguiſed manner, with their ſovereign. Under colour of redreſſing grievances, which, during this ſhort reign, could not be very numerous; they were to proceed in regulating and controuling every part of government, which diſpleaſed them: And if the king either cut them ſhort in this undertaking, or refuſed compliance with their demands, he muſt not expect any ſupply from the commons. Great diſſatisfaction was expreſſed by Charles at a treatment, which he deemed ſo harſh and undutiful [o]. But his urgent neceſſities obliged him to ſubmit; and he waited with patience, obſerving to what ſide they would turn themſelves.

[m] It is always an expreſs clauſe in the writ of ſummons, that no ſheriff ſhall be choſen but the contrary practice had often prevailed. D'Ewes, p. 38. Yet ſtill great doubts were entertained on this head. See Journ. 9 April, 1614.

[n] Journ. 27 March, 1626. Ruſhworth, vol. i. p. 224.

[o] Parliamentary Hiſtory, vol. vi. p. 449.

THE duke of Buckingham, formerly obnoxious to the public became every day more unpopular, by the ſymptoms which appeared both of his want of temper and prudence, and of the uncontrouled aſcendant, which he had acquired over his maſter [p]. Two violent attacks he was obliged this ſeſſion to ſuſtain; one from the earl of Briſtol, another from the houſe of commons.

Impeachment of Buckingham.

As long as James lived, Briſtol, ſecure of the concealed favour of that monarch, had expreſſed all duty and obedience; in expectation that an opportunity would offer of re-inſtating himſelf in his former credit and authority. Even after Charles's acceſſion, he deſpaired not. He ſubmitted to the king's commands of remaining at his country-ſeat, and of abſenting himſelf from parliament. Many trials he made to regain the good opinion of his maſter; but finding them all fruitleſs, and obſerving Charles to be entirely governed by Buckingham, his implacable enemy, he reſolved no longer to keep any meaſures with the court. A new ſpirit, he ſaw, and a new power ariſing in the nation; and to theſe he was determined for the future to truſt for his ſecurity and protection.

WHEN the parliament was ſummoned, Charles, by a ſtretch of prerogative, had given orders that no writ, as is cuſtomary, ſhould be ſent to Briſtol [q]. That nobleman applied to the houſe of lords by petition; and craved their good offices with the king for obtaining what was his due as a peer of the realm. His writ was ſent him; but accompanied with a letter from the lord keeper, Coventry, commanding him, in the king's name, to abſent himſelf from parliament. This letter Briſtol conveyed to the lords, and aſked advice how to proceed in ſo delicate a ſituation [r]. The king's prohibition was withdrawn, and Briſtol took his ſeat. Provoked at theſe repeated inſtances of rigour, which the court denominated contumacy, Charles ordered his attorney-general to enter an accuſation of high treaſon againſt him. By way of recrimination, Briſtol accuſed Buckingof high treaſon. Both the earl's defence of himſelf and accuſation of the duke remain [s]; and together with ſome original letters ſtill extant, contain the fulleſt and moſt authentic account of all the negociations with the houſe of Auſtria. From the whole, the great imprudence of the duke evidently appears, and the ſway of his ungovernable paſſions; but it would be difficult to collect thence any action, which in the eye of the law could be deemed a crime; much leſs could ſubject him to the penalty of treaſon.

THE impeachment of the commons was ſtill leſs dangerous to the duke, were it eſtimated by the ſtandard of law and equity. The houſe, after hav-

[p] His credit with the king had given him ſuch influence, that he had no leſs than twenty proxies granted him this parliament by ſo many peers; which occaſioned a vote that no peer ſhould have two proxies. The earl of Leiceſter in 1585 had once ten proxies. D'Ewes, p. 314.

[q] Ruſhworth, vol. i. p. 236. [r] Ibid. vol i. p. 237. Franklyn, p. 120, &c.

[s] Ruſhworth vol. i. p. 256. 262, 263. &c. Franklyn, p. 123. &c.

ing voted, upon ſome queries of Dr. Turner's *that common fame was a ſufficient ground of accuſation by the commons* [r], proceeded to frame regular articles againſt Buckingham. They accuſed him, of having united many offices in his perſon; of having bought two of them; of neglecting to guard the ſeas, inſomuch that many merchant-ſhips had fallen into the hands of the enemy; of delivering ſhips to the French king, in order to ſerve againſt the Hugonots; of being employed in the ſale of honours and offices; of accepting extenſive grants from the crown; of procuring many titles of honour for his kindred; and of adminiſtering phyſic to the late king without acquainting his phyſicians. All theſe articles appear, from comparing the accuſation and reply, to be either frivolous, or falſe, or both [s]. The only charge, which could be regarded as important, was, that he had extorted a ſum of ten thouſand pounds from the Eaſt-India company, and that he had confiſcated ſome goods belonging to French merchants, on pretence of their being the property of Spaniſh. The impeachment never came to a full determination; ſo that it is difficult for us to give a deciſive opinion with regard to theſe articles: But it muſt be confeſſed, that the duke's anſwer in theſe particulars, as in all the reſt, is ſo clear and ſatisfactory, that it is impoſſible to refuſe our aſſent to it [t]. His faults and blemiſhes were in many reſpects very great; but rapacity and avarice were vices, with which he was entirely unacquainted.

IT is remarkable, that the commons, though ſo much at a loſs to find articles of charge againſt Buckingham, never adopted Briſtol's accuſation, or impeached the duke for his conduct in the Spaniſh treaty, the moſt blameable circumſtance in his whole life. He had reaſon to believe the Spaniards ſincere in their profeſſions; yet, in order to gratify his private paſſions, he had hurried his maſter and his country into a war pernicious to the intereſts of both. But ſo rivetted throughout the nation were the prejudices with regard to Spaniſh deceit and falſehood, that very few of the commons ſeem as yet to have been convinced that they had been ſeduced by Buckingham's narrative: A certain proof that a diſcovery of this nature was not, as is imagined by ſeveral hiſtorians, the cauſe of ſo ſudden and ſurpriſing a variation in the meaſures of the parliament [u].

WHILE the commons were thus warmly engaged againſt Buckingham, the king ſeemed deſirous of embracing every opportunity, by which he could expreſs a contempt and diſregard for them. No one was at that time ſufficiently ſenſible of the great weight which the commons bore in the balance of the conſtitution. The hiſtory of England had never hitherto afforded one inſtance, where any great movement or revolution had pro-

[r] Ruſhworth, vol. i. p. 217. Whitlocke. p. 5. [s] Ruſhworth, vol. i. p. 306 &c. 375. &c. Journ. 25 March, 1626. [t] Whitlocke, p. 7. [u] See note [T] at the end of the volume.

ceeded from the lower houſe. And as their rank, both conſidered in a body and as individuals, was but the ſecond in the kingdom; nothing leſs than fatal experience could engage the Engliſh princes to pay a due regard to the inclinations of that formidable aſſembly.

THE earl of Suffolk, chancellor of the univerſity of Cambridge, dying about this time, Buckingham, though lying under impeachment, was yet, by means of court-intereſt, choſen in his place. The commons reſented and loudly complained of this affront; and the more to enrage them, the king himſelf wrote a letter to the univerſity, extolling the duke and giving them thanks for his election [w].

THE lord keeper, in the king's name, expreſsly commanded the houſe not to meddle with his miniſter and ſervant, Buckingham; and ordered them to finiſh, in a few days, the bill, which they had begun for the ſubſidies, and to make ſome addition to them; otherwiſe they muſt not expect to ſit any longer [x]. And though theſe harſh commands were endeavoured to be explained and mollified, a few days after, by a ſpeech of Buckingham's [y], they failed not to leave a diſagreeable impreſſion behind them.

BESIDES a more ſtately ſtile, which Charles in general affected to this parliament than to the laſt, he went ſo far, in a meſſage, as to threaten the commons, that, if they did not furniſh him with ſupplies, he ſhould be obliged to try *new counſels*. This language was ſufficiently clear: Yet, leſt any ambiguity ſhould remain, Sir Dudley Carleton, vice-chamberlain, took care to explain it. "I pray you conſider," ſaid he, "what theſe new "counſels are or may be. I fear to declare thoſe that I conceive. In all "Chriſtian kingdoms, you know that parliaments were in uſe anciently, "by which thoſe kingdoms were governed in a moſt flouriſhing manner; "until the monarchs began to know their own ſtrength, and, ſeeing the "turbulent ſpirit of their parliaments, at length they, by little and little, "began to ſtand on their prerogatives, and at laſt overthrew the parlia-"ments, throughout Chriſtendom, except here only with us. —— Let "us be careful then to preſerve the king's good opinion of parliaments, "which bringeth ſuch happineſs to this nation, and makes us envied of all "others, while there is this ſweetneſs between his majeſty and the com-"mons; leſt we loſe the repute of a free people by our turbulency in par-"liament [z]." Theſe imprudent ſuggeſtions rather gave warning than ſtruck terror. A precarious liberty, the commons thought, which was to be preſerved by unlimited complaiſance, was no liberty at all. And it was neceſſary, while yet in their power, to ſecure the conſtitution by ſuch invincible barriers, that no king or miniſter ſhould ever, for the future, dare

[w] Ruſhworth, vol. i. p. 371. [x] Parl. Hiſt. vol. vi. p. 444. [y] Id. Ibid. p. 451. Ruſhworth, vol. i. p. 225. Franklyn, p. 118. [z] Ruſhworth, vol. i. p. 359. Whitlocke, p. 6.

to ſpeak ſuch a language to any parliament, or even entertain ſuch a project againſt them.

Two members of the houſe, Sir Dudley Digges and Sir John Elliott, who had been employed as managers of the impeachment againſt the duke, were thrown into priſon [a]. The commons immediately declared, that they would proceed no farther upon buſineſs, till they had ſatisfaction in their privileges. Charles alledged, as the reaſon of this meaſure, certain ſeditious expreſſions, which, he ſaid, had, in their accuſation of the duke, dropped from theſe members. Upon enquiry, it appeared, that no ſuch expreſſion had been uſed [b]. The members were releaſed, and the king reaped no other benefit from this attempt than to exaſperate the houſe ſtill farther, and to ſhow ſome degree of precipitancy and indiſcretion.

MOVED by this example, the houſe of peers were rouzed from their inactivity; and claimed liberty for the earl of Arundel, who had been lately confined in the Tower. After many fruitleſs evaſions, the king, though ſomewhat ungracefully, was at laſt obliged to comply [c]. And in this incident, it ſufficiently appeared, that the lords, how little ſoever inclined to popular courſes, were not wanting in a juſt ſenſe of their own dignity.

THE ill humour of the commons, thus wantonly irritated by the court, and finding no gratification in the legal impeachment of Buckingham, ſought other objects, on which it might exert itſelf. The never-failing cry of popery here ſerved them in ſtead. They again claimed the execution of the penal laws againſt catholics; and they preſented to the king a liſt of perſons, entruſted with offices, moſt of them inſignificant, who were either convicted or ſuſpected recuſants [d]. In this particular, they had, perhaps, ſome reaſon to blame the king's conduct. He had promiſed to the laſt houſe of commons a redreſs of this religious grievance: But he was apt, in imitation of his father, to imagine, that the parliament, when they failed of ſupplying his neceſſities, had, on their part, freed him from the obligation of a ſtrict performance. A new odium, likewiſe, by theſe repreſentations, was attempted to be thrown upon Buckingham. His mother, who had great influence over him, was a profeſſed catholic; his wife was not free from ſuſpicion: And the indulgence given to catholics was of courſe ſuppoſed to proceed entirely from his credit and authority. So violent was the bigotry of the times, that it was thought a ſufficient reaſon for diſqualifying any one from holding an office, that his wife, or relations, or companions, were papiſts, though he himſelf were a conformiſt [e].

IT is remarkable, that perſecution was here chiefly puſhed on by ly-

[a] Ruſhworth, vol. i. p. 356. [b] Id. ibid. p. 358. 361. Franklyn, p. 180.
[c] Ruſhworth, vol. i. p. 363. 364. &c. Franklyn, p. 181. [d] Franklyn, p. 195. Ruſhworth. [e] See the liſt in Franklyn and Ruſhworth.

men; and that the church was willing to have granted more liberty than would be allowed by the commons. The reconciling doctrines likewise of Montague failed not anew to meet with severe censures from that zealous assembly [f].

THE next attack, made by the commons, had it prevailed, would have proved decisive. They were preparing a remonstrance against the levying of tonnage and poundage without consent of parliament. This article, together with the new impositions laid on merchandize by James, constituted near half of the crown-revenues; and by depriving the king of these resources, they would have reduced him to total subjection and dependence. While they retained such a pledge, besides the supply already promised, they were sure that nothing could be refused them. Though after canvassing the matter near three months, they found themselves utterly incapable of fixing any legal crime upon the duke, they regarded him as an unable and perhaps a dangerous minister; and they intended to present a petition, which would then have been equivalent to a command, for removing him from his majesty's person and councils [g].

THE king was alarmed at the yoke which he saw prepared for him. Buckingham's sole guilt, he thought, was the being his friend and favourite [h]. All the other complaints against him were mere pretences. A little before he was the idol of the people. No new crime had since been discovered. After the most diligent enquiry, prompted by the greatest malice, the smallest appearance of guilt could not be fixed upon him. What idea, he asked, must all mankind entertain of his honour, should he sacrifice his innocent friend to pecuniary considerations? What farther authority should he retain in the nation, were he capable, in the beginning of his reign, to give, in so signal an instance, such matter of triumph to his enemies, and discouragement to his adherents? To-day, the commons pretend to wrest his minister from him. To-morrow, they will attack some branch of his prerogative. By their remonstrances, and promises, and protestations, they had engaged the crown in a war. As soon as they saw a retreat impossible, without waiting for new incidents, without covering themselves with new pretences, they immediately deserted him, and refused him all reasonable supply. It was evident, that they desired nothing so much as to see him plunged in inextricable difficulties, of which they intended to take advantage. To such deep perfidy, to such unbounded usurpations, it was necessary to oppose a proper firmness and resolution. All encroachments on supreme power could only be resisted successfully on the first attempt. The sovereign authority was, with some difficulty, re-

[f] Rushworth, vol. i. p. 209. [g] Ibid. vol. p. 400. Franklyn, p. 199. [h] Franklyn, p. 178.

duced from its ancient and legal height; but when once puſhed downwards, it ſoon became contemptible, and would eaſily, by the continuance of the ſame effort, now encouraged by ſucceſs, be carried to the loweſt extremity.

PROMPTED by theſe plauſible motives, Charles was determined immediately to diſſolve the parliament. When this reſolution was known, the houſe of peers, whoſe compliant behaviour entitled them to ſome authority with him, endeavoured to interpoſe [i]; and they petitioned him, that he would allow the parliament to ſit ſome time longer. *Not a moment longer*, cried the king haſtily [k]; and he ſoon after ended the ſeſſion by a diſſolution.

As this meaſure was foreſeen, the commons took care to finiſh and diſperſe their remonſtrance, which they intended as a juſtification of their conduct to the people. The king likewiſe, on his part, publiſhed a declaration, in which he gave the reaſons of his diſagreement with the parliament, and of their ſudden diſſolution, before they had time to conclude any one act [l]. Theſe papers furniſhed the partizans on both ſides with ample matter of apology or of recrimination. But all impartial men judged, "*That* the commons, though they had not as yet violated any law, yet, "by their unpliableneſs and independence, were inſenſibly changing, per- "haps improving, the ſpirit and genius, while they preſerved the forms of "the conſtitution: And *that* the king was acting altogether without any "plan; running on in a road ſurrounded on all ſides with the moſt dan- "gerous precipices, and concerting no proper meaſures, either for ſubmit- "ting to the obſtinacy of the commons, or for ſubduing it."

AFTER a breach with the parliament, which ſeemed ſo difficult to repair, the only rational counſel, which Charles could purſue, was immediately to conclude a peace with Spain, and to render himſelf, as far as poſſible, independent of his people, who diſcovered ſo little inclination to ſupport him, or rather who ſeem to have formed a determined reſolution to abridge his authority. Nothing could be more eaſy in the execution than this meaſure, nor more agreeable to his own and to national intereſt. But, beſides the treaties and engagements, which he had entered into with Holland and Denmark, the king's thoughts were at this time averſe to pacific counſels. There are two circumſtances in Charles's character, ſeemingly incompatible, which attended him during the whole courſe of his reign, and were in part the cauſe of his misfortunes. He was very ſteady and even obſtinate in his purpoſe; and he was eaſily governed, by reaſon of his facility, and of his deference to men much inferior to himſelf both

[i] Ruſhworth, vol. i. p. 398.
[k] Saunderſon's Life of Charles I p. 58.
[l] Franklyn, p. 203, &c Parl. Hiſt. vol. vii p. 300.

in morals and underſtanding. His great ends he inflexibly maintained: But the means of attaining them, he readily received from his miniſters and favourites, though not always fortunate in his choice. The violent, impetuous Buckingham, inflamed with a deſire of revenge for injuries which he himſelf had committed, and animated with a love of glory which he had not talents to merit, had at this time, notwithſtanding his profuſe, licentious life, acquired an invincible aſcendant over the virtuous and gentle temper of the king.

THE *new counſels*, which Charles had mentioned to the parliament, were now to be tried, in order to ſupply his neceſſities. Had he poſſeſſed any military force, on which he could rely, it is not improbable, that he had at once taken off the maſk, and governed without any regard to parliamentary privileges: So high an idea had he received of kingly prerogative, and ſo contemptible a notion of the rights of thoſe popular aſſemblies, from which, he very naturally thought he had met with ſuch ill uſage. But his army was new levied, ill paid, and worſe diſciplined; nowiſe ſuperior to the militia, who were much more numerous, and who were in a great meaſure under the influence of the country-gentlemen. It behoved him, therefore, to proceed cautiouſly, and to cover his enterprizes under the pretence of ancient precedents, which conſidering the great authority commonly enjoyed by his predeceſſors, could not be wanting to him. 1626. Violent meaſures of the court.

A COMMISSION was openly granted to compound with the catholics, and agree for diſpenſing with the penal laws enacted againſt them [m]. By this expedient, the king both filled his coffers, and gratified his inclination of giving indulgence to theſe religioniſts: But he could not have employed any branch of prerogative, which would have been more diſagreeable, or would have appeared more exceptionable, to his proteſtant ſubjects.

FROM the nobility, he deſired aſſiſtance: From the city, he required a loan of 100,000 pounds. The former contributed ſlowly: But the latter, covering themſelves under many pretences and excuſes, gave him at laſt a flat refuſal [n].

IN order to equip a fleet, a diſtribution, by order of council, was made to all the maritime towns; and each of them was required, with the aſſiſtance of the adjacent counties, to arm ſo many veſſels as were appointed them [o]. The city of London was rated at twenty ſhips. This is the firſt appearance, in Charles's reign, of ſhip-money; a taxation which had once been impoſed by Elizabeth, but which afterwards, when carried ſome ſteps farther by Charles, created ſuch violent diſcontents.

[m] Ruſhworth, vol. i. p. 413. Whitlocke, p. 7. Trackiyn, p. 206. [n] Ruſhworth, vol. i. p. 415. [o] Ruſhworth ut ſupra.

OF ſome, loans were required [p]: To others the way of benevolence was propoſed: Methods ſupported by precedent, but always invidious, even in times more ſubmiſſive and compliant. In the moſt abſolute governments, ſuch expedients would be regarded as irregular and unequal.

THESE counſels for ſupply were conducted with ſome moderation; till news arrived, that a battle was fought between the king of Denmark and count Tilly, the Imperial general; in which the former was totally defeated. Money now, more than ever, became neceſſary, in order to repair ſo great a breach in the alliance, and to ſupport a prince, who was ſo nearly allied to Charles, and who had been engaged in the war chiefly by the in-
1626. trigues, ſolicitations, and promiſes of the Engliſh monarch.
25th. Aug. After ſome deliberation, an act of council was paſſed; importing, that as the urgency of affairs admitted not the way of parliament, the moſt ſpeedy, equal, and convenient method of ſupply was by a GENERAL LOAN from the ſubject, according as every man was aſſeſſed in the rolls of the laſt ſubſidy. That preciſe ſum was required, which each would have paid, had the vote of four ſubſidies paſſed into a law: But care was taken to inform the people, that the ſums exacted were not to be called ſubſidies, but loans [q]. Had any doubt remained, whether forced loans, however authoriſed by precedent, and even by ſtatute, were a violation of liberty, and muſt, by neceſſary conſequence, render all parliaments ſuperfluous; this was the proper expedient for opening the eyes of the whole nation. The example of Henry VIII. who had once, in his arbitrary reign, practiſed a like method of levying a regular ſupply, was generally deemed a very inſufficient authority.

THE commiſſioners appointed to levy theſe loans, among other articles of ſecret inſtruction, were enjoined, "If any ſhall refuſe to lend, and ſhall "make delays or excuſes, and perſiſt in his obſtinacy, that they examine "him upon oath, whether he has been dealt with to deny or refuſe to "lend, or make an excuſe for not lending? Who has dealt with him, and "what ſpeeches or perſuaſions were uſed to that purpoſe? And that they "alſo ſhall charge every ſuch perſon, in his majeſty's name, upon his al-"legiance, not to diſcloſe to any one what his anſwer was [r]." So violent an inquiſitorial power, ſo impracticable an attempt at ſecrecy, were the objects of indignation, and even, in ſome degree, of ridicule.

THAT religious prejudices might ſupport civil authority, ſermons were preached by Sibthorpe and Manwaring, in favour of the general loan; and the court induſtriouſly ſpread them over the kingdom. Paſſive obedience

[p] Ruſhworth, vol. i. p. 416. [q] Ibid. p. 418. Whitlocke, p. 8. [r] Ruſhworth, vol. i. p. 419. Franklyn, p. 207.

was there recommended in its full extent, the whole authority of the ſtate was repreſented as belonging to the king alone, and all limitations of law and a conſtitution were rejected as ſeditious and impious [s]. So openly was this doctrine eſpouſed by the court, that Archbiſhop Abbot, a popular and virtuous prelate, was, becauſe he refuſed to licenſe Sibthorpe's ſermon, ſuſpended from the exerciſe of his office, baniſhed from London, and confined to one of his country-ſeats [t]. Abbot's principles of liberty, and his oppoſition to Buckingham, had always rendered him very ungracious at court, and had acquired him the character of a puritan. For it is remarkable, that this party made the privileges of the nation as much a part of their religion, as the church-party did the prerogatives of the crown; and nothing tended farther to recommend among the people, who always take opinions in the lump, the whole ſyſtem and all the principles of the former ſect. The king ſoon found, by fatal experience, that this engine of religion, which with ſo little neceſſity was introduced into politics, falling under more fortunate management, was played with the moſt terrible ſucceſs againſt him.

WHILE the king, inſtigated by anger and neceſſity, thus employed the whole extent of his prerogative, the ſpirit of the people was far from being ſubdued. Throughout England, many refuſed theſe loans; ſome were even active in encouraging their neighbours to inſiſt upon their common rights and privileges. By warrant of the council, *theſe* were thrown into priſon [u]. Moſt of them with patience ſubmitted to confinement, or applied by petition to the king, who commonly releaſed them. Five gentlemen alone, Sir Thomas Darnel, Sir John Corbet, Sir Walter Earl, Sir John Heveningham, and Sir Edmond Hambden, had ſpirit enough, at their own hazard and expence, to defend the public liberties, and to demand releaſement, not as a favour from the court, but as their due, by the laws of their country [w]. No particular cauſe was aſſigned of their commitment. The ſpecial command alone of the king and council was pleaded. And it was aſſerted, that, by law, this was not ſufficient reaſon for refuſing bail or releaſement to the priſoners.

THIS queſtion was brought to a ſolemn trial, before the king's bench; and the whole kingdom was attentive to the iſſue of a cauſe, which was of much greater conſequence than the event of many battles.

BY the debates on this ſubject, it appeared, beyond controverſy, to the nation, that their anceſtors had been ſo jealous of perſonal liberty, as to ſecure it againſt arbitrary power in the crown, by ſix [x] ſeveral ſtatutes, and

[s] Ruſhworth, vol. i. p. 422. Franklyn, p. 208. [t] Ruſhworth, vol. i. p. 431. [u] Ibid vol. i. p. 429. Franklyn, p. 210. [w] Ruſhworth, vol. i. p. 458. Franklyn, p. 224. Whitlocke, p. 8. [x] 25 Edw. III. cap. 4. 28 Edw. III. cap. 3. 37 Ed. III. cap. 18. 38 Edw. III. cap. 9. 42 Edw. III. cap 3. 1 Richard II. cap. 12.

by an article [x] of the GREAT CHARTER itself, the most sacred foundation of the laws and constitution. But the kings of England, who had not been able to prevent the enacting of these laws, had sufficient authority, when the tide of liberty was spent, to obstruct their regular execution; and they deemed it superfluous, to attempt the formal repeal of statutes which they found so many expedients and pretences to elude. Turbulent and seditious times frequently occurred, when the safety of the people absolutely required the confinement of factious leaders; and by the genius of the old constitution, the prince, of himself, was accustomed to assume every branch of prerogative, which was found necessary for the preservation of public peace and of his own authority. Expediency, at other times, would cover itself under the appearance of necessity; and, in proportion as precedents multiplied, the will alone of the sovereign was sufficient to supply the place of expediency, of which he constituted himself the sole judge. In an age and nation where the power of a turbulent nobility prevailed, and where the king had no settled military force, the only means that could maintain public peace, was the exertion of such prompt and discretionary powers in the crown; and the public itself had become so sensible of the necessity, that those ancient laws in favour of personal liberty, while often violated, had never been challenged or revived, during the course of near three centuries. Though rebellious subjects had frequently, in the open field, resisted the king's authority; no person had been found so bold, while confined and at mercy, as to set himself in opposition to regal power, and to claim the protection of the constitution, against the will of the sovereign. It was not till this age, when the spirit of liberty was universally diffused, when the principles of government were nearly reduced to a system, when the tempers of men more civilized, seemed less to require those violent exertions of prerogative, that these five gentlemen above mentioned, by a noble effort, ventured, in this national cause, to bring the question to a final determination. And the king was astonished to observe, that a power, exercised by his predecessors, almost without interruption, was found upon trial, to be directly opposite to the clearest laws, and supported by few undoubted precedents in courts of judicature. These had scarcely, in any instance, refused bail upon commitments by special command of the king; because the persons committed had seldom or never dared to demand it; at least, to insist on their demand.

1627. SIR Randolf Crew, chief justice, had been displaced, as unfit for the purposes of the court: Sir Nicholas Hyde, esteemed more obsequious, had obtained that high office: Yet the judges, by his direction, went no farther than to remand the gentlemen

[x] 1 Richard II. Chap. 29.

to priſon, and refuſe the bail which was offered [y]. Heathe, the attorney-general, inſiſted that the court, in imitation of the judges in the 34th of Elizabeth [z], ſhould enter a general judgement that no bail could be granted, upon a commitment by the king or council [a]. But the judges wiſely declined complying. The nation, they ſaw, was already to the laſt degree exaſperated. In the preſent diſpoſition of men's minds, univerſal complaints prevailed, as if the kingdom were reduced to ſlavery. And the moſt invidious prerogative of the crown, it was ſaid, that of impriſoning the ſubject, is here openly and ſolemnly, and in numerous inſtances, exerciſed for the moſt invidious purpoſe; in order to extort loans, or other ſubſidies, without conſent of parliament.

BUT this was not the only hardſhip of which, the nation then thought, they had reaſon to complain. The army, which had made the fruitleſs expedition to Cadiz, was diſperſed throughout the kiugdom; and money was levied upon the counties, for the payment of their quarters [b].

THE ſoldiers were billeted upon private houſes, contrary to cuſtom, which required, that, in all ordinary caſes, they ſhould be quartered in inns and public houſes [c].

THOSE, who had refuſed or delayed the loan, were ſure to be loaded with a great number of theſe dangerous and diſorderly gueſts.

MANY too, of low condition, who had ſhown a refractory diſpoſition, were preſſed into the ſervice, and inliſted in the fleet or army [d]. Sir Peter Hayman, for the ſame reaſon, was diſpatched on an errand to the Palatinate [e]. Glanville, an eminent lawyer, had been obliged, during the former interval of parliament, to accept of an office in the navy [f].

THE ſoldiers, ill paid and undiſciplined, committed many crimes and outrages; and much encreaſed the public diſcontents. To prevent theſe diſorders, martial law, ſo requiſite to the ſupport of diſcipline, was exerciſed upon the ſoldiers. By a contradiction, which is natural, when the people are exaſperated, the outrages of the army were complained of; the remedy was thought ſtill more intolerable [g]. Though the expediency, if we are not rather to ſay, the neceſſity of martial law, had formerly been deemed, of itſelf, a ſufficient ground for eſtabliſhing it; men, now become more jealous of liberty, and more refined reaſoners in queſtions of government, regarded, as illegal and arbitrary, every exerciſe of authority, which was not ſupported by expreſs ſtatute, or uninterrupted precedent.

IT may ſafely be affirmed, that, except a few courtiers or eccleſiaſtics, all men were diſpleaſed with the high exertion of prerogative, and this new

[y] Ruſhworth, vol. i. p. 462. [z] State Trials, vol. vii. p. 147.
[a] State Trials, ibid. p. 161. [b] Ruſhworth, vol. i. p. 419.
[c] Ibid. [d] Ibid. p. 422. [e] Ibid. p. 431.
[f] Parl. Hiſt. vol. vi. p. 3 0. [g] Ruſhworth, vol. i. p. 419. Whitlocke, p. 7.

ſpirit of adminiſtration. Though ancient precedents were pleaded in favour of the king's meaſures; a conſiderable difference, upon compariſon, was obſerved between the caſes. Acts of power, however irregular, might caſually, and at intervals, be exerciſed by a prince, for the ſake of diſpatch or expediency; and yet liberty ſtill ſubſiſt, in ſome tolerable degree, under his adminiſtration. But where all theſe were reduced into a ſyſtem, were exerted without interruption, were ſtudiouſly ſought for, in order to ſupply the place of laws, and ſubdue the refractory ſpirit of the nation; it was neceſſary to find ſome ſpeedy remedy, or finally to abandon all hopes of preſerving the freedom of the conſtitution. Nor did moderate men eſteem the provocation, which the king had received, though great, ſufficient to warrant all theſe violent meaſures. The commons, as yet, had no wiſe invaded his authority: They had only exerciſed, as beſt pleaſed them their own privileges. Was he juſtifiable, becauſe from one houſe of parliament he had met with hard and unkind treatment, to make, in revenge, an invaſion on the rights and liberties of the whole nation?

BUT great was at that time the ſurprize of all men, when Charles, baffled in every attempt againſt the Auſtrian dominions, embroiled with his own ſubjects, unſupplied with any treaſure but what he extorted by the moſt invidious and moſt dangerous meaſures; as if the half of Europe, now his enemy, were not ſufficient for the exerciſe of military proweſs; wantonly attacked France, the other great kingdom in his neighbourhood, and engaged at once in war againſt theſe two powers, whoſe intereſts were hitherto deemed ſo incompatible, that they could never, it was thought, agree either in the ſame friendſhips or enmities. All authentic memoirs, both foreign and domeſtic, aſcribed to Buckingham's counſels this war with France, and repreſent him, as actuated by motives, which would appear incredible, were we not acquainted with the violence and temerity of his character.

1627. War with France.

THE three great monarchies of Europe were at this time ruled by young princes, Philip, Louis and Charles, who were nearly of the ſame age, and who had reſigned the government of themſelves, and of their kingdoms, to their creatures and miniſters, Olivarez, Richelieu, and Buckingham. The people, whom the moderate temper or narrow genius of their princes, would have allowed to remain for ever in tranquillity, were ſtrongly agitated by the emulation and jealouſy of the miniſters. Above all, the towering ſpirit of Richelieu, incapable of reſt, promiſed an active age, and gave indications of great revolutions throughout all Europe.

THIS man had no ſooner, by ſuppleneſs and intrigue, gotten poſſeſſion of the reins of government, than he formed, at once, three mighty projects; to ſubdue the turbulent ſpirits of the great, to reduce the rebellious hugonots, and to curb the encroaching power of the houſe of Au-

ſtria. Undaunted and implacable, prudent and active, he braved all the oppoſition of the French princes and nobles in the proſecution of his vengeance; he diſcovered and diſſipated all their ſecret cabals and conſpiracies. His ſovereign himſelf he held in ſubjection, while he exalted the throne. The people, while they loſt their liberties, acquired, by means of his adminiſtration, learning, order, diſcipline, and renown. That confuſed and inaccurate genius of government, of which France partook in common with other European kingdoms, he changed into a ſimple monarchy; at the very time, when the incapacity of Buckingham encouraged the free ſpirit of the commons to eſtabliſh in England a regular ſyſtem of liberty.

HOWEVER unequal the compariſon between theſe miniſters, Buckingham had entertained a mighty jealouſy againſt Richelieu; a jealouſy not founded on rivalſhip of power and politics, but of love and gallantry: where the duke was as much ſuperior to the cardinal, as he was inferior in every other particular.

AT the time, when Charles married by proxy the princeſs Henrietta, the duke of Buckingham had been ſent to France, in order to grace the nuptials, and conduct the new queen into England. The eyes of the French court were directed by curioſity towards that man, who had enjoyed the unlimited favour of two ſucceſſive monarchs, and who, from a private ſtation, had mounted in the earlieſt youth, to the abſolute government of three kingdoms. The beauty of his perſon, the gracefulneſs of his air, the ſplendor of his equipage, his fine taſte in dreſs, feſtivals, and carouſals, correſponded to the prepoſſeſſions entertained in his favour the; affability of his behaviour, the gaiety of his manners, the magnificence of his expence, encreaſed ſtill farther the general admiration which was paid him. All buſineſs being already concerted, the time was entirely ſpent in mirth and entertainments; and, during thoſe ſplendid ſcenes, among that gay people, the duke found himſelf in a ſituation, where he was perfectly qualified to excel [h]. But his great ſucceſs at Paris proved as fatal as his former failure at Madrid. Encouraged by the ſmiles of the court, he dared to carry his addreſſes to the queen herſelf; and he failed not to make an impreſſion on a heart not undiſpoſed to the tender paſſions. That attachment at leaſt, of the mind which appears ſo delicious, and is ſo dangerous, ſeems to have been encouraged by that princeſs; and the duke preſumed ſo far on her good graces, that after his departure, he ſecretly returned upon ſome pretence, and paying a viſit to the queen was diſmiſſed with a reproof, which favoured more of kindneſs than of anger [i].

INFORMATION of this correſpondence was ſoon carried to Richelieu.

[h] Clarendon, vol. i. p. 38. [i] Memoires de Mad. de Motteville.

The vigilance of that miniſter was here farther rouſed by jealouſy. He too, either from vanity or politics, had ventured to pay his addreſſes to the queen. But a prieſt, paſt middle age, of a ſevere character, and occupied in the moſt extenſive plans of ambition or vengeance, was but an unequal match in that conteſt, for a young courtier entirely diſpoſed to gaiety and gallantry. The cardinal's diſappointment ſtrongly inclined him to counterwork the amorous projects of his rival. When the duke was making preparations for a new embaſſy to Paris, a meſſage was ſent him from Lewis, that he muſt not think of ſuch a journey. In a romantic paſſion, he ſwore, *That he would ſee the queen, in ſpite of all the power of France*; and, from that moment, he determined to engage England in war with that kingdom [k].

HE firſt took advantage of ſome quarrels, excited by the queen of England's attendants; and he perſuaded Charles to diſmiſs at once, all her French ſervants, contrary to the articles of the marriage treaty [l]. He encouraged the Engliſh ſhips of war and privateers to ſeize veſſels belonging to French merchants; and *theſe* he forthwith condemned as prizes, by a ſentence of the court of admirality. But finding that all theſe injuries produced only remonſtrances and embaſſies, or at moſt repriſals, on the part of France, he reſolved to ſecond the intrigues of the duke of Soubize, and to undertake at once a military expedition againſt that kingdom.

SOUBIZE, who, with his brother, the duke of Rohan, was the leader of the hugonot faction, was at that time in London, and ſtrongly ſolicited Charles to embrace the protection of theſe diſtreſſed religioniſts: He repreſented, that, after the inhabitants of Rochelle had been repreſſed by the combined ſquadrons of England and Holland, after peace was concluded with the French king under Charles's mediation, the ambitious cardinal was ſtill meditating the deſtruction of the hugonots; that preparations were ſilently making in every province of France for the ſuppreſſion of their religion; that forts were erected in order to bridle Rochelle, the moſt conſiderable bulwark of the proteſtants; that the reformed in France caſt their eyes on Charles as the head of their faith, and conſidered him as a prince engaged by intereſt, as well as inclination, to ſupport them; that, ſo long as their party ſubſiſted, Charles might rely on their attachment as much as on that of his own ſubjects; but if their liberties were once raviſhed from them, the power of France, freed from this impediment, would ſoon become formidable to England, and to all the neighbouring nations.

THOUGH Charles probably bore but ſmall favour to the hugonots, who ſo much reſembled the puritans in diſcipline and worſhip, in religion and politics, he yet allowed himſelf to be gained by theſe arguments, enforced

[k] Clarendon, vol. i. p. 38.

[l] Ruſhworth, vol. i. p. 423. 424.

by the ſolicitations of Buckingham. A fleet of a hundred ſail, and an army of 7000 men, were fitted out for the invaſion of France, and both of them intruſted to the command of the duke, who was altogether unacquainted both with land and ſea ſervice. The fleet appeared before Rochelle; but ſo ill-concerted were Buckingham's meaſures, that the inhabitants of that city ſhut their gates, and refuſed to admit allies, of whoſe coming they were not previouſly informed [m]. All his military operations ſhowed equal incapacity and inexperience. Inſtead of attacking Oleron, a fertile iſland and defenceleſs; he bent his courſe to the iſle of Rhé, which was well garriſoned and fortified; Having landed his men, though with ſome loſs, he followed not the blow, but allowed Toiras, the French governor, five days reſpite; during which St. Martin was victualled and provided for a ſiege [n]. He left behind him the ſmall fort of Prie, which could at firſt have made no manner of reſiſtance: Though reſolved to ſtarve St. Martin, he guarded the ſea negligently, and allowed proviſions and ammunition to be thrown into it: Deſpairing to reduce it by famine, he attacked it without having made any breach and raſhly threw away the lives of the ſoldiers: Having found that a French army had ſtolen over in ſmall diviſions, and had landed at Prie, the fort which he had at firſt overlooked, he began to think of a retreat; but made it ſo unſkilfully, that was equivalent to a total rout: He was the laſt of the army that embarked; and he returned to England, having loſt two thirds of his land forces, totally diſcredited both as an admiral and a general; and bringing no praiſe with him, but the vulgar one of courage and perſonal bravery.

1627. 9th July. Expedition to the Iſle of Rhé.

Octob. 28.

THE duke of Rohan, who had taken arms as ſoon as Buckingham appeared upon the coaſt, diſcovered the dangerous ſpirit of the ſect, without being able to do any miſchief: The inhabitants of Rochelle, who had at laſt been induced to join the Engliſh, haſtened the vengeance of their maſter, exhauſted their proviſions in ſupplying their allies, and were threatened with an immediate ſiege. Such were the fruits of Buckingham's expedition againſt France.

[m] Ruſhworth, vol. i. p 426. [n] Whitlocke, p. 8. Sir Philip Warwick, p. 25,

CHAP. LI.

Third parliament——Petition of right——Prorogation——Death of Buckingham——New ſeſſion of parliament——Tonnage and poundage——Arminianiſm——Diſſolution of the parliament.

1628. THERE was reaſon to apprehend ſome diſorder or inſurrection from the diſcontents which prevailed among the people in England. Their liberties, they believed, were raviſhed from them; illegal taxes extorted; their commerce, which had met with a ſevere check from the Spaniſh, was totally annihilated by the French war; thoſe military honours tranſmitted to them from their anceſtors, had received a grievous ſtain, by two unſucceſsful and ill-conducted expeditions; ſcarce an illuſtrious family but mourned, from the laſt of them, the loſs of a ſon or brother; greater calamities were dreaded from the war with theſe powerful monarchies, concurring with the internal diſorders under which the nation laboured. And theſe ills were aſcribed, not to the refractory diſpoſition of the two former parliaments, to which they were partly owing: but ſolely to Charles's obſtinacy, in adhering to the counſels of Buckingham; a man nowiſe intitled, by his birth, age, ſervices, or merit, to that unlimited confidence repoſed in him. To be ſacrificed to the intereſt, policy, and ambition of the great, is ſo much the common lot of the people, that they may appear unreaſonable who would pretend to complain of it: But to be the victim of the frivolous gallantry of a favourite, and of his boyiſh caprices ſeemed the object of peculiar indignation.

IN this ſituation, it may be imagined, the king and the duke dreaded above all things, the aſſembling of a parliament: But ſo little foreſight had they poſſeſſed in their enterprizing ſchemes, that they found themſelves under an abſolute neceſſity of embracing that expedient. The money levied, or rather extorted, under colour of prerogative, had come in very ſlowly, and had left ſuch ill humour in the nation, that it appeared dangerous to renew the experiment. The abſolute neceſſity of ſupply, it was hoped, would engage the commons to forget all paſt injuries, and, having experienced the ill effects of former obſtinacy, they would probably aſſemble with a reſolution of making ſome reaſonable compliances. The more to ſoften them, it was concerted, by Sir Robert Cotton's advice[a], that Buckingham ſhould be the firſt perſon that propoſed in council the calling of a new parliament. Having laid in this ſtock of merit, he expected that all his former miſdemeanors would be overlooked and forgiven; and that, inſtead

Third parliament.

[a] Franklyn, p. 230.

of a tyrant and oppreſſor, he ſhould be regarded as the firſt patriot in the nation.

The views of the popular leaders were much more judicious and profound. When the commons aſſembled, they appeared to be men of the ſame independent ſpirit with their predeceſſors, and poſſeſſed of ſuch riches, that their property was computed to ſurpaſs three times that of the houſe of peers [p]; they were deputed by boroughs and counties, enflamed all of them, by the late violations of liberty; many of the members themſelves had been caſt into priſon, and had ſuffered by the meaſures of the court; yet, notwithſtanding theſe circumſtances, which might prompt them to embrace violent reſolutions, they entered upon buſineſs with perfect temper and decorum. They conſidered, that the king, diſguſted at theſe popular aſſemblies, and little prepoſſeſſed in favour of their privileges, wanted but a fair pretence for breaking with them, and would ſeize the firſt opportunity offered by any incident, or any undutiful behaviour of the members. He fairly told them, in his firſt ſpeech, that, "if they ſhould not do their duties, in contributing to the neceſſities of the "ſtate, he muſt, in diſcharge of his conſcience, uſe thoſe other means "which God had put into his hands, in order to ſave that which the "follies of ſome particular men may otherwiſe put in danger. Take not "this for a threatening," added the king, "for I ſcorn to threaten any "but my equals; but as an admonition from him who, by nature and "duty, has moſt care of your preſervation and proſperity [q]." The lord keeper by the king's direction, ſubjoined. "This way of parliamentary "ſupplies as his majeſty told you, he hath choſen, not as the only way, "but as the fitteſt; not becauſe he is deſtitute of others, but becauſe it is "moſt agreeable to the goodneſs of his own moſt gracious diſpoſition, and "to the deſire and weal of his people. If this be deferred, neceſſity and the "ſword of the enemy make way for the others. Remember his majeſty's "admonition, I ſay, remember it [r]." From theſe avowed maxims, the commons foreſaw, that, if the leaſt handle were afforded, the king would immediately diſſolve them, and would thenceforth deem himſelf juſtified for violating, in a manner ſtill more open, all the ancient forms of the conſtitution. No remedy could then be looked for, but from inſurrections and civil war, of which the iſſue would be extremely uncertain, and which muſt, in all events, prove calamitous to the nation. To correct the late diſorders in the adminiſtration required ſome new laws, which would, no doubt, appear harſh to a prince, ſo enamoured of his prerogative; and it was requiſite to temper, by the decency and moderation of their debates, the rigour which muſt neceſſarily attend their determinations. Nothing

1628. March 17.

[p] Sanderſon, p. 106. Walker, p. 339. [q] Ruſhworth, vol. i. p. 477. Franklyn, p. 233. [r] Ruſhworth, vol. i. p. 479. Franklyn, p. 234

can give us a higher idea of the capacity of thoſe men, who now guided the commons, and of the great authority, which they had acquired, than the forming and executing of ſo judicious and ſo difficult a plan of operations.

THE decency, however, which the popular leaders had preſcribed to themſelves, and recommended to others, hindered them not from making the loudeſt and moſt vigorous complaints againſt the grievances under which the nation had lately laboured. Sir Francis Seymour ſaid, "This "is the great council of the kingdom, and here with certainty, if not here "only, his majeſty may ſee, as a in true glaſs, the ſtate of the kingdom. "We are called hither by his writs, in order to give him faithful counſel ſuch "as may ſtand with his honour: And this we muſt do without flattery. We "are alſo ſent hither by the people, in order to deliver their juſt grievances: "And this we muſt do without fear. Let us not act like Cambyſes's judges, "who, when their approbation was demanded by the prince to ſome illegal "meaſure, ſaid, that, *Though there was a written law, the Perſian kings "might follow their own will and pleaſure.* This was baſe flattery, fitter for "our reproof than our imitation; and as fear, ſo flattery taketh away "the judgement. For my part, I ſhall ſhun both; and ſpeak my mind "with as much duty as any man to his majeſty, without neglecting the "public.

"BUT how can we expreſs our affections, while we retain our fears; "or ſpeak of giving, till we know whether we have any thing to give? "For, if his majeſty may be perſuaded to take what he will, what need "we give.

"THAT this hath been done, appeareth by the billeting of ſoldiers, a "thing nowiſe adavantageous to the king's ſervice, and a burthen to the "commonwealth. By the impriſonment of gentlemen for refuſing the "loan, who, if they had done the contrary for fear, had been as blame-"able as the projectors of that oppreſſive meaſure. To countenance the "proceedings, hath it not been preached in the pulpit, or rather prated, "that *All we have is the king's by divine right?* But when preachers for-"ſake their own calling, and turn ignorant ſtateſmen; we ſee how willing "they are to exchange a good conſcience for a biſhopric.

"HE, I muſt confeſs, is no good ſubject, who would not willingly and "cheerfully, lay down his life, when that ſacrifice may promote the in-"tereſts of his ſovereign, and the good of the commonwealth. But he is "not a good ſubject, he is a ſlave, who will allow his goods to be taken, "from him againſt his will, and his liberty againſt the laws of the king-"dom. By oppoſing theſe practices, we ſhall but tread in the ſteps of our "forefathers, who ſtill preferred the public before their private intereſt "nay, before their very lives. It will in us be a wrong done to ourſelves,

"to our posterities; to our consciences, if we forego this claim and pre-
"tension [5]."

"I READ of a custom," said Sir Robert Philips, "among the old "Romans, that, once every year, they held a solemn festival, in which "their slaves had liberty without exception, to speak what they pleased, "in order to ease their afflicted minds; and on the conclusion of the fes-"tival, the slaves severally returned to their former servitudes.

"THIS institution may, with some distinction, well set forth our pre-"sent state and condition. After the revolution of some time, and the "grievous sufferance of many violent oppressions, we have now, at last, as "those slaves, obtained for a day some liberty of speech: But shall not, I "trust, be hereafter slaves: For we are born free. Yet, what new illegal "burthens our estates and persons have groaned under, my heart yearns to "think of, my tongue faulters to utter.——

"THE grievances, by which we are oppressed, I draw under two heads; "acts of power against law, and the judgements of lawyers against our "liberty."

HAVING mentioned three illegal judgements, passed within his memory; that by which the Scots, born after James's accession, were admitted to all the privileges of English subjects; that by which the new impositions had been warranted; and the late one, by which arbitrary imprisonments were authorized; he thus proceeded:

"I CAN live, though another, who has no right, be put to live along "with me; nay, I can live, though burthened with impositions beyond "what at present I labour under: But to have my liberty which is the "soul of my life, ravished from me; to have my person pent up in a jail, "without relief by law, and to be so adjudged,——O, improvident an-"cestors! O unwise forefathers! to be so curious in providing for the "quiet possession of our lands, and the liberties of parliament; and, at the "same time, to neglect our personal liberty, and let us lie in prison, and "that during pleasure, without redress or remedy! If this be law, why "do we talk of liberties? Why trouble ourselves with disputes about a "constitution, franchises, property of goods, and the like? What may "any man call his own, if not the liberty of his person?

"I AM weary of treading these ways; and therefore conclude to have "a select committee, in order to frame a petition to his majesty for redress "of these grievances. And this petition being read, examined, and ap-"proved, may be delivered to the king; of whose gracious answer we "have no cause to doubt, our desires being so reasonable, our intentions

[5] Franklyn, p. 243. Rushworth, vol. i. p. 499.

"ſo loyal, and the manner ſo dutiful. Neither need we fear, that this is "the critical parliament, as has been inſinuated; or that this is the way "to diſtraction: But aſſure ourſelves of a happy iſſue. Then ſhall the "king, as he calls us his great council, find us his true council, and own "us his good council [t]."

THE ſame topics were enforced by Sir Thomas Wentworth. After mentioning projectors and ill miniſters of ſtate, "Theſe," ſaid he, "have introduced a privy-council, raviſhing, at once, the ſpheres of all "ancient government; deſtroying all liberty; impriſoning us without "bail or bond. They have taken from us——What ſhall I ſay? Indeed, "what have they left us? By tearing up the roots of all property, they "have taken from us every means of ſupplying the king, and of ingratiat- "ing ourſelves by voluntary proofs of our duty and attachment towards "him.

"To the making whole all theſe breaches, I ſhall apply myſelf; and, "to all theſe diſeaſes, ſhall propound a remedy. By one and the ſame "thing, have the king and the people been hurt, and by the ſame muſt "they be cured. We muſt vindicate: What? New things? No: Our "ancient, legal, and vital liberties; by reinforcing the laws enacted by "our anceſtors; by ſetting ſuch a ſtamp upon them, that no licentious "ſpirit ſhall dare henceforth to invade them. And ſhall we think this a "way to break a parliament? No: Our deſires are modeſt and juſt. I "ſpeak both for the intereſt of king and people. If we enjoy not theſe "rights, it will be impoſſible for us to relieve him. Let us never, there- "fore doubt of a favourable reception from his goodneſs [u]."

THESE ſentiments were unanimouſly embraced by the whole houſe. Even the court party pretended not to plead, in defence of the late meaſures, any thing but the neceſſity to which the king had been reduced, by the obſtinacy of the two former parliaments. A vote, therefore, was paſſed without oppoſition, againſt arbitrary impriſonments and forced loans [w]. And the ſpirit of liberty having obtained ſome contentment by this exertion, the reiterated meſſages of the king, who preſſed for ſupply, were attended to with more temper. Five ſubſidies were voted him; with which, though much inferior to his wants, he declared himſelf well ſatisfied; and even tears of affection ſtarted in his eye, when he was informed of this conceſſion. The duke's approbation too was mentioned by ſecretary Coke; but the conjunction of a ſubject with the ſovereign was ill received by the houſe [x]. Though diſguſted with the king, the jealouſy

[t] Franklyn, p. 245. Parl. Hiſt. vol. vii. p. 363. Ruſhworth, vol. i. p. 502.
[u] Franklyn, p. 243. Ruſhworth, vol. i. p. 500. [w] Franklyn, p. 251. Ruſhworth, vol. i. p. 513. Whitlocke, p. 9. [x] Ruſhworth, vol. i. p. 526. Whitlocke, p. 9.

which they felt for his honour was more ſenſible than that which his unbounded confidence in the duke would allow even himſelf to entertain.

THE ſupply, though voted, was not, as yet, paſſed into a law; and the commons reſolved to employ the interval, in providing ſome barriers to their rights and liberties ſo lately violated. They knew, that their own vote, declaring the illegality of the former meaſures, had not, of itſelf, ſufficient authority to ſecure the conſtitution againſt future invaſion. Some act to that purpoſe muſt receive the ſanction of the whole legiſlature; and they appointed a committee to prepare the model of ſo important a law. By collecting into one effort all the dangerous and oppreſſive claims of his prerogative, Charles had expoſed them to the hazard of one aſſault; and had farther, by preſenting a nearer view of the conſequences attending them, rouzed the independent genius of the commons. Forced loans, benevolences, taxes without conſent of parliament, arbitrary impriſonments, the billeting of ſoldiers, martial law; theſe were the grievances complained of, and againſt theſe an eternal remedy was to be provided. The commons pretended not, as they affirmed, to any unuſual powers or privileges: They aimed only at ſecuring thoſe which had been tranſmitted them from their anceſtors: And their law they reſolved to call a PETITION OF RIGHT; as implying that it contained a corroboration or explanation of the ancient conſtitution, not any infringement of royal prerogative, or acquiſition of new liberties. 1628. Petition of right.

WHILE the committee was employed in framing the petition of right, the favourers of each party, both in parliament and throughout the nation, were engaged in diſputes about this bill, which, in all likelihood, was to form a memorable æra in the Engliſh government.

THAT the ſtatutes, ſaid the partizans of the commons, which ſecure Engliſh liberty, are not become obſolete, appears hence, that the Engliſh have ever been free and have ever been governed by law and a limited conſtitution. Privileges in particular, which are founded on the GREAT CHARTER, muſt always remain in force, becauſe derived from a ſource of never-failing authority; regarded in all ages, as the moſt ſacred contract between king and people. Such attention was paid to this charter by our generous anceſtors, that they got the confirmation of it re-iterated thirty ſeveral times; and even ſecured it by a rule, which, though vulgarly received, ſeems in the execution impracticable. They have eſtabliſhed it as a maxim, *That even a ſtatute which ſhould be enacted in contradiction to any article of that charter, cannot have force or validity.* But with regard to that important article which ſecures perſonal liberty; ſo far from attempting at any time, any legal infringement of it, they have corroborated it by ſix ſtatutes, and put it out of all doubt and controverſy. If in practice it has often been vio-

lated, abuſes can never come in the place of rules; nor can any rights or legal powers be derived from injury and injuſtice. But the title of the ſubject to perſonal liberty not only is founded on ancient, and therefore the more ſacred laws: It is confirmed by the whole ANALOGY of the government and conſtitution. A free monarchy in which every individual is a ſlave, is a glaring contradiction; and it is requiſite, where the laws aſſign privileges to the different orders of the ſtate, that it likewiſe ſecure the independence of the members. If any difference could be made in this particular, it were better to abandon even life or property to the arbitrary will of the prince; nor would ſuch immediate danger enſue, from that conceſſion, to the laws and to the privileges of the people. To bereave of his life a man not condemned by any legal trial, is ſo egregious an exerciſe of tyranny, that it muſt at once ſhock the natural humanity of princes, and convey an alarm throughout the whole commonwealth. To confiſcate a man's fortune, beſides its being a moſt atrocious act of violence, expoſes the monarch ſo much to the imputation of avarice and rapacity, that it will ſeldom be attempted in any civilized government. But confinement, though a leſs ſtriking, is no leſs ſevere a puniſhment; nor is there any ſpirit, ſo erect and independent, as not to be broken by the long continuance of the ſilent and inglorious ſufferings of a jail. The power of impriſonment, therefore, being the moſt natural and potent engine of arbitrary government, it is abſolutely neceſſary to remove it from a government which is free and legal.

THE partizans of the court reaſoned after a different manner. The true rule of govenrment, ſaid they, during any period, is that to which the people, from time immemorial, have been accuſtomed, and to which they naturally pay a prompt obedience. A practice which has ever ſtruck their ſenſes, and of which they have ſeen and heard innumerable precedents, has an authority with them much ſuperior to that which attends maxims, derived from antiquated ſtatutes and mouldy records. In vain do the lawyers eſtabliſh it as a principle, that a ſtatute can never be abrogated by oppoſite cuſtom; but requires to be expreſsly repealed by a contrary ſtatute: While they pretend to inculcate an axiom, peculiar to Engliſh juriſprudence, they violate the moſt eſtabliſhed principles of human nature; and even, by neceſſary conſequence, reaſon in contradiction to law itſelf, which they would repreſent as ſo ſacred and inviolable. A law, to have any authority, muſt be derived from a legiſlature, which has right. And whence do all legiſlatures derive their right but from long cuſtom and eſtabliſhed practice? If a ſtatute, contrary to public good, has at any time, been raſhly voted and aſſented to, either from the violence of faction, or the inexperience of ſenates and princes; it cannot be more effectually abrogated, than by a train of contrary precedents, which prove, that, by common conſent, it has been tacitly ſet aſide, as inconvenient and impracticable. Such

has been the case with all those statutes enacted during turbulent times, in order to limit royal prerogative, and cramp the sovereign in his protection of the public, and his execution of the laws. But above all branches of prerogative, that which is most necessary to be preserved, is the power of imprisonment. Faction and discontent, like diseases, frequently arise in every political body; and during these disorders, it is by the salutary exercise alone of this discretionary power, that rebellions and civil wars can be prevented. To circumscribe this power, is to destroy its nature: Entirely to abrogate it, is impracticable; and the attempt itself must prove dangerous, if not pernicious to the public. The supreme magistrate, in critical and turbulent times, will never, agreeably either to prudence or duty, allow the state to perish, while there remains a remedy, which, how irregular soever, it is still in his power to apply. And if, moved by a regard to public good, he employs any exercise of power condemned by recent and express statute, how greedily, in such dangerous times, will factious leaders seize this pretence of throwing on his government the imputation of tyranny and despotism? Were the alternative quite necessary, it were surely much better for human society to be deprived of liberty than to be destitute of government.

IMPARTIAL reasoners will confess, that this subject is not on both sides, without its difficulties. Where a general and rigid law is enacted against arbitrary imprisonment, it would appear, that government cannot, in times of sedition and faction, be conducted but by temporary suspensions of the law; and such an expedient was never thought of during the age of Charles. The meetings of parliament were too precarious, and their determinations might be too dilatory, to serve in cases of urgent necessity. Nor was it then conceived, that the king did not possess of himself sufficient power for the security and protection of his people, or that the authority of these popular assemblies was ever to become so absolute, that the prince must always conform himself to it, and could never have any occasion to guard against *their* practices, as well as against those of his other subjects.

THOUGH the house of lords was not insensible to the reasons urged in favour of the pretensions of the commons, they deemed the arguments, pleaded in favour of the crown, still more cogent and convincing. That assembly seems, during this whole period, to have acted, in the main, a reasonable and a moderate part; and if their bias inclined a little too much, as is natural, to the side of monarchy, they were far from entertaining any design of sacrificing to arbitrary will, the liberties and privileges of the nation. Ashley, the king's serjeant, having asserted, in a pleading before the peers, that the king must sometimes govern by acts of state as well as by law; this position gave such offence, that he was immediately committed

to prison, and was not released but upon his recantation and submission[y]. Being, however, afraid, lest the commons should go too far in their projected petition, the peers proposed a plan of one more moderate, which they recommended to the consideration of the other house. It consisted merely in a general declaration, that the great charter and the six statutes, conceived to be explanations of it, stand still in force, to all intents and purposes; that, in consequence of the charter and the statutes, and by the tenor of the ancient customs and laws of the realm, every subject has a fundamental property in his goods, and a fundamental liberty of his person; that this property and liberty are as entire at present as during any former period of the English government; that in all common cases, the common law ought to be the standard of proceedings: "And in "case, that, for the security of his majesty's person, the general safety "of his people, or the peaceable government of the kingdom, the king "shall find just cause, for reasons of state, to imprison or restrain any "man's person; he was petitioned graciously to declare, that, within a "*convenient* time, he shall and will express the cause of the commitment "or restraint, either general or special, and upon a cause so expressed, "will leave the prisoner immediately to be tried according to the com-"mon law of the land[z]."

ARCHBISHOP Abbot was employed by the lords to recommend, in a conference, this plan of a petition to the house of commons. The prelate, as was, no doubt, foreseen from his known principles, was not extremely urgent in his applications; and the lower house was fully convinced, that the general declarations signified nothing, and that the latter clause left their liberties rather in a worse condition than before. They proceeded, therefore, with great zeal, in framing the model of a petition, which should contain expressions, more precise, and more favourable to public freedom.

THE king could easily see the consequence of these proceedings. Though he had offered at the beginning of the session, to give his consent to any law for the security of the rights and liberties of the people; he had not expected that such inroads would be made on his prerogative. In order, therefore, to divert the commons from their intention, he sent a message, wherein he acknowledged past errors, and promised, that, hereafter, there should be no just cause of complaint. And he added, "That "the affairs of the kingdom press him so, that he could not continue the "session above a week or two longer: And if the house be not ready, by "that time, to do what is fit for themselves, it shall be their own fault[a]." "On a subsequent occasion, he asked them, Why demand explanations, "if you doubt not the performance of the statutes, according to their true "meaning. Explanations will hazard an enroachment upon the prero-

[y] Whitlocke, p. 10. [z] State Trials, vol. vii. p. 187. Rushworth, vol. i. p. 546.
[a] State Trials, vol. vii. p. 193.

"gative. And it may well be ſaid, What need a new law to confirm an "old, if you repoſe confidence in the declarations, which his majeſty "made to both houſes [b]?" The truth is, the great charter and the old ſtatutes were ſufficiently clear in favour of perſonal liberty: But as all kings of England had ever, in caſes of neceſſity or expediency, been accuſtomed, at intervals, to elude them; and as Charles, in a complication of inſtances, had lately violated them; the commons judged it requiſite to enact a new law, which might not be eluded or violated, by any interpretation, conſtruction, or contrary precedent. Nor was it ſufficient, they thought, that the king promiſed to return into the way of his predeceſſors. His predeceſſors, in all times, had enjoyed too much diſcretionary power; and by his recent abuſe of it, the whole world had reaſon to ſee the neceſſity of entirely retrenching it.

THE king ſtill perſevered in his endeavours to elude the petition. He ſent a letter to the houſe of lords, in which he went ſo far as to make a particular declaration, "That neither he nor his privy council ſhall or will, "at any time hereafter, commit or command to priſon, or otherwiſe re-"ſtrain, any man for not lending money, or for any other cauſe, which, in "his conſcience, he thought not to concern the public good, and the ſafe-"ty of king and people." And he farther declared, "That he never "would be guilty of ſo baſe an action as to pretend any cauſe, of whoſe "truth he was not fully ſatisfied [c]." But this promiſe, though enforced to the commons by the recommendation of the upper houſe, made no more impreſſion than all the former meſſages.

AMONG the other evaſions of the king, we may reckon the propoſal of the houſe of peers, to ſubjoin, to the intended petition of right, the following clauſe: "We humbly preſent this petition to your majeſty, not "only with a care of preſerving our own liberties, but with due regard to "leave entire that *ſovereign power*, with which your majeſty is entruſted for "the protection, ſafety, and happineſs of your people [d]." Leſs penetration than was poſſeſſed by the leaders of the houſe of commons, could eaſily diſcover how captious this clauſe was, and how much it was calculated to elude the whole force of the petition.

THESE obſtacles, therefore, being ſurmounted, the petition of right paſſed the commons, and was ſent to the upper houſe [e]. The peers, who were probably well pleaſed in ſecret, that all their ſolicitations had been eluded by the commons, quickly paſſed the petition without any material alteration; and nothing but the royal aſſent was wanting to gave it the

[b] State Trials, vol. vii. p. 196. Ruſhworth, vol. i. p. 536. [c] State Trials, vol. vii. p. 198. Ruſhworth, vol. i. p. 560. Parl. Hiſt. vol. viii. p. 111. [d] State Trials, vol. vii. p. 199. Ruſhworth, vol. i. p. 561. Parl. Hiſt. vol. viii. p. 116. Whitlocke, p. 10.
[e] See note [U] at the end of the volume.

force of a law. The king accordingly came to the houſe of peers; ſent for the commons; and, being ſeated in his chair of ſtate, the petition was read to him. Great was now the aſtoniſhment of all men, when, inſtead of the uſual conciſe, and clear form, by which a bill is either confirmed or rejected, Charles ſaid, in anſwer to the petition, "The king willeth, that "right be done according to the laws and cuſtoms of the realm, and that "the ſtatutes be put into execution; that his ſubjects may have no cauſe "to complain of any wrong or oppreſſion, contrary to their juſt rights and "liberties, to the preſervation whereof he holds himſelf in conſcience as "much obliged as of his own prerogative [f]."

IT is ſurpriſing, that Charles, who had ſeen ſo many inſtances of the jealouſy of the commons, who had himſelf ſo much rouſed that jealouſy by his frequent evaſive meſſages during this ſeſſion, could imagine that they would reſt ſatisfied with an anſwer ſo vague and undeterminate. It was evident, that the unuſual form alone of the anſwer muſt excite their attention; that the diſappointment muſt inflame their anger; and that therefore it was neceſſary, as the petition ſeemed to bear hard on royal prerogative, to come early to ſome fixed reſolution, either gracefully to comply with it, or courageouſly to reject it.

IT happened as might have been foreſeen. The commons returned in very ill humour. Uſually, when in that diſpoſition, their zeal for religion, and their enmity againſt the unfortunate catholics, ran extremely high. But they had already, in the beginning of the ſeſſion, preſented their petition of religion, and had received a ſatisfactory anſwer; though they expected, that the execution of the laws againſt papiſts would, for the future, be no more exact and rigid, than they had hitherto found it. To give vent to their preſent indignation, they fell with their utmoſt force, on Dr. Manwaring.

THERE is nothing, which tends more to excuſe, if not to juſtify, the extreme rigour of the commons towards Charles, than his open encouragement and avowal of ſuch general principles as were altogether incompatible with a limited government. Manwaring had preached a ſermon, which the commons found, upon enquiry, to be printed by ſpecial command of the king [g]; and, when this ſermon was looked into, it contained doctrines ſubverſive of all civil liberty. It taught, that, though property was commonly lodged in the ſubject, yet, whenever any exigency required ſupply, all property was transferred to the ſovereign; that the conſent of parliament was not neceſſary for the impoſition of taxes; and that the divine laws required compliance with every demand, how irregular ſoever, which the prince ſhould make upon his ſubjects [h]. For theſe doctrines the com-

[f] State Trials, vol. vii. p. 212. Ruſhworth, vol. i. p. 590. [g] Parl. Hiſt. vol. viii. p. 206. [h] Ruſhworth, vol. i. p. 585 594. Parl. Hiſt. vol. viii. p. 168, 169, 170. &c. Welwood, p. 44.

mons impeached Manwaring. The ſentence, pronounced upon him by the peers, was, that he ſhould be impriſoned during the pleaſure of the houſe, be fined a thouſand pounds to the king, make ſubmiſſion and acknowledgment for his offence, be ſuſpended during three years, be incapable of holding any eccleſiaſtical dignity or ſecular office, and that his book be called in and burnt [i].

IT may be worthy of notice, that no ſooner was the ſeſſion ended, than this man, ſo juſtly obnoxious to both houſes, received a pardon, and was promoted to a living of conſiderable value [k]. Some years after, he was raiſed to the ſee of St. Aſaph. If the republican ſpirit of the commons encreaſed, beyond all reaſonable bounds, the monarchical ſpirit of the court, this latter, carried to ſo high a pitch, tended ſtill farther to augment the former. And thus extremes were every where affected, and the juſt medium was gradually deſerted by all men.

FROM Manwaring, the houſe of commons proceeded to cenſure the conduct of Buckingham, whoſe name hitherto they had cautiouſly foreborn to mention [l]. In vain did the king ſend them a meſſage, in which he told them, that the ſeſſion was drawing near to a concluſion; and deſired, that they would not enter upon new buſineſs, nor caſt any aſperſions on his government and miniſtry [m]. Though the court endeavoured to explain and ſoften this meſſage by a ſubſequent meſſage [n]; as Charles was apt haſtily to correct any haſty ſtep, which he had taken; it ſerved rather to inflame than appeaſe the commons: As if the method of their proceedings had here been preſcribed to them. It was foreſeen, that a great tempeſt was ready to burſt on the duke; and in order to divert it, the king thought proper, upon a joint application of the lords and commons [o], to endeavour giving them ſatisfaction, with regard to the petition of right. He came, therefore, to the houſe of peers, and pronouncing the uſual form of words, *Let it be a law as is deſired*, gave full ſanction and authority to the petition. The acclamations, with which the houſe reſounded, and the univerſal joy diffuſed over the nation, ſhowed how much this petition had been the object of all men's vows and expectations [p].

IT may be affirmed, without any exaggeration, that the king's aſſent to the petition of right produced ſuch a change in the government, as was almoſt equivalent to a revolution; and by circumſcribing, in ſo many articles, the royal prerogative, gave additional ſecurity to the liberties of the ſubject. Yet were the commons far from being ſatisfied with this important conceſſion. Their ill humour had been ſo much irritated by the king's

[i] Ruſhworth, vol. i. p. 65. Parl Hiſt. vol. viii. p. 212. [k] Ruſhworth, vol. i. p. 635. Whitlocke, p. 11. [l] Ruſhworth, vol. i. p. 607. [m] Ibid. vol. i. p. 605. [n] Ibid. vol. i. p. 610. Parl. Hiſt. vol. viii. p. 197. [o] Ruſhworth, vol. i. p. 613. Journ. 7th June, 1628. Parl. Hiſt. vol. viii. p. 210. [p] Ruſhworth, vol. p. 613.

frequent evaſions and delays, that it could not be preſently appeaſed by an aſſent, which he allowed to be ſo reluctantly extorted from him. Perhaps too, the popular leaders, implacable and artful, ſaw the opportunity favourable; and turning againſt the king thoſe very weapons, with which he had furniſhed them, reſolved to purſue the victory. The bill, however, for five ſubſidies, which had been formerly voted, immediately paſſed the houſe; becauſe the granting of that ſupply was, in a manner, tacitly contracted for, upon the royal aſſent to the petition; and had faith been here violated, no farther confidence could have ſubſiſted between king and parliament. Having made this conceſſion, the commons continued to carry their ſcrutiny into every part of government. In ſome particulars, their induſtry was laudable; in ſome, it may be liable to cenſure.

A LITTLE after writs were iſſued for ſummoning this parliament, a commiſſion had been granted to Sir Thomas Coventry lord keeper, the earl of Marlborough, treaſurer, the earl of Mancheſter, preſident of the council, the earl of Worceſter, privy ſeal, the duke of Buckingham, high admiral, and all the conſiderable officers of the crown, in the whole thirty-three. By this commiſſion, which from the number of perſons named in it could be no ſecret, the commiſſioners were empowered to meet, and to concert among themſelves the methods of levying money by impoſitions, or otherwiſe; *Where form and circumſtance*, as expreſſed in the commiſſion, *muſt be diſpenſed with, rather than the ſubſtance be loſt or hazarded* [p]. In other words, this was a ſcheme for finding expedients, which might raiſe the prerogative to the greateſt height, and render parliaments entirely uſeleſs. The commons applied for cancelling the commiſſion [q]; and were, no doubt, deſirous that all the world ſhould conclude the king's principles to be extremely arbitrary, and ſhould obſerve what little regard he was diſpoſed to pay to the liberties and privileges of his people.

A COMMISSION had likewiſe been granted, and ſome money remitted, in order to raiſe a thouſand German horſe, and tranſport them into England. Theſe were ſuppoſed to be levied, in order to ſupport the projected impoſitions or exciſes; tho' the number ſeems inſufficient for ſuch a purpoſe [r]. The houſe took notice of this deſign in ſevere terms: And no meaſure, ſurely, could be projected more generally odious to the whole nation. It muſt, however, be confeſſed, that the king was ſo far right, that he had, now at laſt, fallen on the only effectual method for ſupporting his prerogative. But at the ſame time, he ſhould have been ſenſible, that, till provided with a ſufficient military force, all his attempts in oppoſition to the riſing ſpirit of the nation, muſt, in the end, prove wholly fruitleſs; and that the higher he ſcrewed up the ſprings of government,

[p] Ruſh. vol. i. p. 614. Parl. Hiſt. vol. viii. p. 214. [q] Journ. 13 June, 1628.
[r] Ruſh, vol. i. p. 612.

while he had so little real power to retain them in that forced situation, with more fatal violence must they fly out, when any accident occurred to restore them to their natural action.

THE commons next resumed their censure of Buckingham's conduct and behaviour, against whom they were implacable. They agreed to present a remonstrance to the king, in which they recapitulated all national grievances and misfortunes, and omitted no circumstance, which could render the whole administration despicable and odious. The compositions with catholics, they said, amounted to no less than a toleration, hateful to God, full of dishonour and disprofit to his majesty, and of extreme scandal and grief to his good people: They took notice of the violations of liberty above mentioned against which the petition of right seems to have provided a sufficient remedy: They mentioned the decay of trade, the unsuccessful expeditions to Cadiz and the isle of Rhé, the encouragement given to Arminians, the commission for transporting German horse, that for levying illegal impositions; and all these grievances they ascribed solely to the ill conduct of the duke of Buckingham [s]. This remonstrance was, perhaps, not the less provoking to Charles, because, joined to the extreme acrimony of the subject, there were preserved in it, as in most of the remonstrances of that age, an affected civility and submission in the language. And as it was the first return, which he met with for his late beneficial concessions, and for his sacrifices of prerogative, the greatest by far ever made by an English sovereign, nothing could be more the object of just and natural indignation.

IT was not without good grounds, that the commons were so fierce and assuming. Though they had already granted the king the supply of five subsidies, they still retained a pledge in their hands, which, they thought, ensured them success in all their applications. Tonnage and poundage had not yet been granted by parliament; and the commons had artfully, this session, concealed their intention of invading that branch of revenue, till the royal assent had been obtained to the petition of right, which they justly deemed of such importance. They then openly asserted, that the levying of tonnage and poundage without consent of parliament, was a palpable violation of the ancient liberties of the people, and an open infringement of the petition of right, so lately granted [t]. The king, in order to prevent the finishing and presenting this remonstrance, came suddenly to the parliament, and ended this session by a prorogation [u]. 1628. 26th June. Prorogation.

BEING freed, for some time, from the embarrassment of this assembly,

[s] Rush. vol. i. p. 619. Parl. Hist. vol. viii. 219, 220, &c. Journ. 18, 20 June, 1628. [t] Rush. vol. i. p. 628. [u] Journ. 26 June, 1628.

Charles began to look towards foreign wars, where all his efforts were equally unſucceſsful, as in his domeſtic government. The earl of Denbigh, brother-in-law to Buckingham, was diſpatched to the relief of Rochelle, now cloſely beſieged by land, and threatened with a blockade by ſea: But he returned without effecting any thing; and having declined to attack the enemy's fleet, he brought on the Engliſh arms the imputation either of cowardice or ill conduct. In order to repair this diſhonour, the duke went to Portſmouth; where he had prepared a conſiderable fleet and army, on which all the ſubſidies given by parliament, had been expended. This ſupply very much diſappointed the king's expectations. The ſame mutinous ſpirit, which prevailed in the houſe of commons, had diffuſed itſelf over the nation; and the commiſſioners, appointed for making the aſſeſſments, had connived at all frauds, which might diminiſh the ſupply, and reduce the crown to ſtill greater neceſſities. This national diſcontent, communicated to a deſperate enthuſiaſt, ſoon broke out in an event, which may be conſidered as remarkable.

THERE was one Felton, of a good family, but of an ardent melancholic temper, who had ſerved under the duke in the ſtation of lieutenant. His captain being killed in the retreat at the iſle of Rhé, Felton had applied for the company; and when diſappointed, he threw up his commiſſion, and retired in diſcontent from the army. While private reſentment was boiling in his ſullen, unſociable mind, he heard the nation reſound with complaints againſt the duke; and he met with the remonſtrance of the commons, in which his enemy was repreſented as the cauſe of every national grievance, and as the great enemy of the public. Religious fanaticiſm farther inflamed theſe vindictive reflections; and he fancied, that he ſhould do heaven acceptable ſervice, if at one blow, he diſpatched this dangerous foe to religion and to his couutry [w]. Full of theſe dark views he ſecretly arrived at Portſmouth, at the ſame time with the duke, and watched for an opportunity of effecting his bloody purpoſe.

1628 23d Auguſt. BUCKINGHAM had been engaged in converſation with Soubize and other French gentlemen; and a difference of ſentiment having ariſen, the diſpute, though conducted with temper and decency, had produced ſome of thoſe vehement geſticulations and lively exertions of voice, in which that nation more than the Engliſh, are apt to indulge themſelves. The converſation being finiſhed, the duke drew towards the door; and in that paſſage, turning himſelf to ſpeak to Sir Thomas Fryar, a colonel in the army, he was, on the ſudden, over Sir Thomas's ſhoulder, ſtruck upon the breaſt with a knife. Without uttering other words than *The villain has killed me*; in the ſame moment, pulling out the knife, he breathed his laſt.

Death of Buckingham.

[w] May's Hiſt. of the Parliament, p. 10.

No man had ſeen the blow, nor the perſon who gave it; but in the confuſion, every one made his own conjecture; and all agreed, that the murder had been committed by the French gentlemen, whoſe angry tone of voice had been heard, while their words had not been underſtood by the byſtanders. In the hurry of revenge, they had inſtantly been put to death, had they not been ſaved by ſome of more temper and judgment, who, though they had the ſame opinion of their guilt, thought proper to reſerve them for a judicial trial and examination.

NEAR the door, there was found a hat, in the inſide of which was ſewed a paper, containing four or five lines of that remonſtrance of the commons, which declared Buckingham an enemy to the kingdom; and under theſe lines was a ſhort ejaculation, or attempt towards a prayer. It was eaſily concluded that this hat belonged to the aſſaſſin: But the difficulty ſtill remained, *Who that perſon ſhould be?* For the writing diſcovered not the name; and whoever he was, it was natural to believe, that he had already fled far enough not to be found without a hat.

In this hurry, a man without a hat was ſeen walking very compoſedly before the door. One crying out, *Here is the fellow, who killed the duke*; every body ran to aſk, *Which is he?* The man very ſedately anſwered, *I am he.* The more furious immediately ruſhed upon him with drawn ſwords: Others more deliberate, defended and protected him: He himſelf with open arms, calmly and cheerfully expoſed his breaſt to the ſwords of the moſt enraged; being willing to fall a ſudden ſacrifice to their anger, rather than be reſerved for that public juſtice, which he knew muſt be executed upon him.

HE was now known to be that Felton, who had ſerved in the army. Being carried into a private room, it was thought proper ſo far to diſſemble as to tell him, that Buckingham was only grievouſly wounded, but not without hopes of recovery. Felton ſmiled and told them, that the duke, he knew full well, had received a blow, which had terminated all their hopes. When aſked, at whoſe inſtigation he had performed that horrid deed? He replied, that they needed not to trouble themſelves in that enquiry; that no man living had credit enough with him to have diſpoſed him to ſuch an action; that he had not even entruſted his purpoſe to any one; that the reſolution proceeded only from himſelf, and the impulſe of his own conſcience; and that his motives would appear if his hat were found; For that, believing he ſhould periſh in the attempt, he had taken care to explain them [x].

WHEN the king was informed of this aſſaſſination, he received the news

[x] Clarendon, vol. i. p. 27, 28.

in public with an unmoved and undiſturbed countenance; and the courtiers, who ſtudied his looks, concluded that ſecretly he was not diſpleaſed to be rid of a miniſter, ſo generally odious to the nation [y]. But Charles's command of himſelf proceeded entirely from the gravity and compoſure of his temper. He was ſtill as much as ever attached to his favourite; and during his whole life, he retained an affection for Buckingham's friends, and a prejudice againſt his enemies. He urged too, that Felton ſhould be put to the queſtion, in order to extort from him a diſcovery of his accomplices: But the judges declared, that though that practice had formerly been very uſual, it was altogether illegal. So much more exact reaſoners with regard to law, had they become from the jealous ſcruples of the houſe of commons.

MEANWHILE the diſtreſs of Rochelle had riſen to the utmoſt extremity. That vaſt genius of Richelieu, which made him form the greateſt enterprizes, led him to attempt their execution by means equally great and extraordinary. In order to deprive Rochelle of all ſuccour, he had dared to project the throwing acroſs the harbour a mole of a mile's extent in that boiſterous ocean; and having executed his project, he now held the town cloſely blockaded on all ſides. The inhabitants though preſſed with the greateſt rigours of famine, ſtill refuſed to ſubmit; being ſupported, partly by the lectures of their zealous preachers, partly by the daily hopes of relief from England. After Buckingham's death, the command of the fleet and army was conferred on the earl of Lindeſey; who arriving before Rochelle, made ſome attempts to break through the mole, and force his way into the harbour: But by the delays of the Engliſh, that work was now fully finiſhed and fortified; and the Rochellers, finding their laſt hopes to fail them, were reduced to ſurrender at diſcretion, even in ſight of the Engliſh admiral. Of fifteen thouſand perſons ſhut up in the city, four thouſand alone ſurvived the fatigues and famine which they had undergone [z].

1628. 18th October.

THIS was the firſt neceſſary ſtep towards the proſperity of France. Foreign enemies as well as domeſtic factions being deprived of this reſource, that kingdom began now to ſhine forth in its full ſplendor. By a ſteddy proſecution of wiſe plans, both of war and policy, it gradually gained an aſcendant over the rival power of Spain; and every order of ſtate, and every ſect, were reduced to pay ſubmiſſion to the lawful authority of the ſovereign. The victory, however, over the hugonots was, at firſt, puſhed by the French king with great moderation. A toleration was ſtill continued to them; the only avowed and open toleration, which, at that time, was granted in any European kingdom.

[y] Warwick, p. 34.

[z] Ruſh. vol. i. p. 636.

1629. 20th Jan. New ſeſſion of parliament.

THE failure of an enterprize, in which the Engliſh nation from religious ſympathy ſo much intereſted themſelves, could not but diminiſh the king's authority in the parliament during the approaching ſeſſion: But the commons, when aſſembled, found many other cauſes of complaint. Buckingham's conduct and character, with ſome had afforded a reaſon, with others a pretence, for diſcontent againſt public meaſures: But after his death, there wanted not new reaſons and new pretences, for general diſſatisfaction. Manwaring's pardon and promotion were taken notice of: Sibthorpe and Coſins, two clergymen who for like reaſons, were no leſs obnoxious to the commons, had met with like favour from the king: Montague who had been cenſured for moderation towards the catholics, the greateſt of crimes had been created biſhop of Chicheſter. They found likewiſe, upon enquiry, that all the copies of the petition of right, which were diſperſed, had by the king's orders, annexed to them the firſt anſwer which had given ſo little ſatisfaction to the commons[a]: An expedient by which Charles endeavoured to perſuade the people that he had nowiſe receded from his former claims and pretenſions, particularly with regard to the levying of tonnage and poundage. Selden alſo complained in the houſe, that one, Savage, contrary to the petition of right, had been puniſhed with the loſs of his ears by a diſcretionary or arbitrary ſentence of the ſtar-chamber[b]. So apt were they, on their part, to ſtretch the petition into ſuch conſequences as might deprive the crown of powers which, from immemorial cuſtom, were ſuppoſed inherent in it.

1629. Tonnage and poundage.

BUT the great article on which the houſe of commons broke with the king, and which finally created in Charles a diſguſt to all parliaments, was their claim with regard to tonnage and poundage. On this occaſion, therefore, it is neceſſary to give an account of the controverſy.

THE duty of tonnage and poundage, in more ancient times, had been commonly a temporary grant of parliament; but it had been conferred on Henry V. and all the ſucceeding princes, during life, in order to enable them to maintain a naval force for the defence of the kingdom. The neceſſity, of levying this duty had been ſo apparent, that each king had ever claimed it from the moment of his acceſſion; and the firſt parliament of each reign had uſually, by vote, conferred on the prince what they found him already in poſſeſſion of. Agreeably to the inaccurate genius of the old conſtitution, this abuſe, however conſiderable, had never been perceived nor remedied; though nothing could have been eaſier than for the parliament to have prevented it[c]. By granting this du-

[a] State Trials, vol. vii. p. 216. Ruſh. vol. i. p. 643. [b] State Trials, vol. vii p. 216. Parl. Hiſt. vol. viii. p. 246. [c] Parl. Hiſt. vol. viii. p. 339, 340.

ty to each prince, during his own life, and, for a year after his demiſe, to the ſucceſſor, all inconveniencies had been obviated; and yet the duty had never, for a moment, been levied without proper authority. But contrivances of that nature were not thought of during thoſe rude ages: And as ſo complicated and jealous a government as the Engliſh cannot ſubſiſt without many ſuch refinements; it is eaſy to ſee how favourable every inaccuracy muſt formerly have proved to royal authority, which, on all emergencies, was obliged to ſupply, by diſcretionary power, the great deficiency of the laws.

The parliament did not grant the duty of tonnage and poundage to Henry VIII. till the ſixth of his reign: Yet this prince, who had not then raiſed his power to its greateſt height, continued, during that whole time, to levy the impoſition: The parliament, in their very grant, blame the merchants who had neglected to make payment to the crown; and though one expreſſion of that bill may ſeem ambiguous, they employ the plaineſt terms in calling tonnage and poundage the king's due, even before that duty was conferred on him by parliamentary authority [d]. Four reigns, and above a whole century had ſince elapſed; and this revenue had ſtill been levied before it was voted by parliament. So long had the inaccuracy continued, without being remarked or corrected.

DURING that ſhort interval which paſſed between Charles's acceſſion and his firſt parliament, he had followed the example of his predeceſſors; and no fault was found with his conduct in this particular. But what was moſt remarkable in the proceedings of that houſe of commons, and what proved beyond controverſy, that they had ſeriouſly formed a plan for reducing their prince to ſubjection, was, that inſtead of granting this ſupply during the king's life-time, as it had been enjoyed by all his immediate predeceſſors, they voted it only for a year; and, after that ſhould be elapſed, reſerved to themſelves the power of renewing or refuſing the ſame conceſſion [e]. But the houſe of peers, who ſaw that this duty was now become more neceſſary than ever to ſupply the growing neceſſities of the crown, and who did not approve of this encroaching ſpirit in the commons, rejected the bill; and the diſſolution of that parliament followed ſo ſoon after, that no attempt ſeems to have been made for obtaining tonnage and poundage in any other form [f].

CHARLES, meanwhile, continued ſtill, to levy this duty by his own authority; and the nation was ſo accuſtomed to that exertion of royal power, that no ſcruple was at firſt entertained of ſubmitting to it. But the ſucceeding parliament excited doubts in every one. The commons

[d] 6 Henry, VIII. cap. 14. [e] Journ, 5 July. 1625. [f] See note [X] at the end of the volume.

took there ſome ſteps towards declaring it illegal to levy tonnage and poundage without conſent of parliament; and they openly ſhowed their intention of employing this engine, in order to extort from the crown conceſſions of the moſt important nature. But Charles was not yet ſufficiently tamed to compliance; and the abrupt diſſolution of that parliament, as above related, put an end for the time, to their farther pretenſions.

THE following interval, between the ſecond and third parliament, was diſtinguiſhed by ſo many exertions of prerogative, that many had little leiſure to attend to the affair of tonnage and poundage, where the abuſe of power in the crown might ſeem to be of a more diſputable nature. But after the commons, during the precedent ſeſſion, had remedied all theſe grievances by means of their petition of right, which they deemed ſo neceſſary; they afterwards proceeded to take the matter into conſideration, and they ſhowed the ſame intention, as formerly, of exacting in return for the grant of this revenue, very large compliances on the part of the crown. Their ſudden prorogation prevented them from bringing their conceſſions to a full concluſion.

WHEN Charles opened this ſeſſion, he had foreſeen, that the ſame controverſy would ariſe; and he therefore took care, very early, among many mild and reconciling expreſſions, to inform the commons, "That he had "not taken theſe duties as appertaining to his hereditary prerogative; "but that it ever was, and ſtill is, his meaning to enjoy them as a gift "of his people: And that, if he had hitherto levied tonnage and pound-"age, he pretended to juſtify himſelf only by the neceſſity of ſo doing, "not by any right which he aſſumed [g]." This conceſſion, which probably, aroſe from the king's moderate temper, now freed from the impulſe of Buckingham's violent counſels, might have ſatisfied the commons, had they entertained no other view than that of aſcertaining their own powers and privileges. But they carried their pretenſions much higher. They inſiſted, as a neceſſary preliminary, that the king ſhould once entirely deſiſt from theſe duties; after which, they were to take it into conſideration, how far they would reſtore him to the poſſeſſion of a revenue, of which he had clearly diveſted himſelf. But, beſides that this extreme rigour had never been exerciſed towards any of his predeceſſors, and many inconveniencies muſt follow from the intermiſſion of the cuſtoms, there were other reaſons which deterred Charles from complying with ſo hard a condition. It was probable, that the commons might renew their former project of making this revenue only temporary, and thereby reducing their prince to perpetual dependence; they certainly would cut off the new impoſitions which Mary and Elizabeth, but eſpecially James,

[g] Ruſhworth, vol. i. p. 644. Parl. hiſt. vol. viii. p. 256, 346.

had levied, and which formed no deſpicable part of the public revenue; and they openly declared, that they had, at preſent, many important pretenſions, chiefly with regard to religion; and if compliance were refuſed, no ſupply muſt be expected from the commons.

It is eaſy to ſee in what an inextricable labyrinth Charles was now involved. By his own conceſſions, by the general principles of the Engliſh government, and by the form of every bill which had granted this duty, tonnage and poundage was derived entirely from the free gift of the people; and, conſequently, might be withdrawn at their pleaſure. If unreaſonable in their refuſal, they ſtill refuſed nothing but what was their own. If public neceſſity required this ſupply, it might be thought alſo to require the king's compliance with thoſe conditions, which were the price of obtaining it. Though the motive for granting it had been the enabling of the king to guard the ſeas; it did not follow, that becauſe he guarded the ſeas, he was therefore entitled to this revenue, without farther formality: Since the people had ſtill reſerved to themſelves the right of judging how far that ſervice merited ſuch a ſupply. But Charles, notwithſtanding his public declaration, was far from aſſenting to this concluſion in its full extent. The plain conſequence, he ſaw, of all theſe rigours, and refinements, and inferences, was, that he, without any public neceſſity, and without any fault of his own, muſt, of a ſudden, even from his acceſſion, become a magiſtrate of a very different nature from any of his predeceſſors, and muſt fall into a total dependence on ſubjects, over whom former kings, eſpecially thoſe immediately preceding, had exerciſed an authority almoſt unlimited. Entangled in a chain of conſequences, which he could not eaſily break, he was inclined to go higher, and rather deny the firſt principle, than admit of concluſions which to him appeared ſo abſurd and unreaſonable. Agreeably to the ideas hitherto entertained both by natives and foreigners, the monarch he eſteemed the eſſence and ſoul of the Engliſh government; and whatever other power pretended to annihilate or even abridge the royal authority, muſt neceſſarily, he thought, either in its nature or exerciſe, be deemed no better than an uſurpation. Willing to preſerve the ancient harmony of the conſtitution, he had ever intended to comply, as far as he *eaſily* could, with the ancient forms of adminiſtration: But when theſe forms appeared to him, by the inveterate obſtinacy of the commons, to have no other tendency than to diſturb that harmony, and to introduce a new conſtitution; he concluded, that, in this violent ſituation, what was ſubordinate, muſt neceſſarily yield to what was principal, and the privileges of the people, for a time, give place to royal prerogative. From the rank of a monarch, to be degraded into a ſlave of his inſolent, ungrateful ſubjects, ſeemed, of all indignities, the greateſt; and nothing, in his judgement,

could exceed the humiliation attending such a state, but the meanness of tamely submitting to it, without making some efforts to preserve the authority transmitted to him by his predecessors.

THOUGH these were the king's reflections and resolutions before the parliament assembled, he did not immediately break with them, upon their delay in voting him this supply. He thought that he could better justify any strong measure which he might afterwards be obliged to take, if he allowed them to carry to the utmost extremities their attacks upon his government and prerogative [h]. He contented himself, for the present, with soliciting the house by messages and speeches. But the commons, instead of hearkening to his solicitations, proceeded to carry their scrutiny into his management of religion [i], which was the only grievance to which in their opinion, they had not as yet, by their petition of right, applied a sufficient remedy.

1629. Arminianism.

IT was not possible that this century, so fertile in religious sects and disputes, could escape the controversy concerning fatalism and free will, which, being strongly interwoven both with philosophy and theology, had in all ages, thrown every school and every church into such inextricable doubt and perplexity. The first reformers in England, as in other European countries, had embraced the most rigid tenets of predestination and absolute decrees, and had composed, upon that system, all the articles of their religious creed. But these principles having met with opposition from Arminius and his sectaries, the controversy was soon brought into this island, and began here to diffuse itself. The Arminians, finding more encouragement from the superstitious spirit of the church than from the fanaticism of the puritans, gradually incorporated themselves with the former; and some of that sect, by the indulgence of James and Charles, had attained the highest preferments in the hierachy. But their success with the public had not been altogether answerable to that which they met with in the church and the court. Throughout the nation, they still lay under the reproach of innovation and heresy. The commons now levelled against them their formidable censures, and made them the objects of daily invective and declamation. Their protectors were stigmatized; their tenets canvassed, their views represented as dangerous and pernicious. To impartial spectators surely, if any such had been at that time in England, it must have given great entertainment, to see a popular assembly, enflamed with faction and enthusiasm, pretend to discuss questions to which the greatest philosophers, in the tranquillity of retreat, had never hitherto been able to find any satisfactory solution.

[h] Rushworth, vol. i. p 642. [i] Idem, ibid p. 651. Whitlocke, p. 12.

AMIDST that complication of diſputes in which men were then involved, we may obſerve, that the appellation *puritan* ſtood for three parties, which, though commonly united, were yet actuated by very different views and motives. There were the political puritans, who maintained the higheſt principles of civil liberty; the puritans in diſcipline, who were averſe to the ceremonies and epiſcopal government of the church; and the doctrinal puritans, who rigidly defended the ſpeculative ſyſtem of the firſt reformers. In oppoſition to all theſe ſtood the court party, the hierarchy, and the Arminians; only with this diſtinction, that the latter ſect, being introduced a few years before, did not, as yet, comprehend all thoſe who were favourable to the church and to monarchy. But, as the controverſies on every ſubject grew daily warmer, men united themſelves more intimately with their friends, and ſeparated themſelves wider from their antagoniſts; and the diſtinction gradually became quite uniform and regular.

THIS houſe of commons, which, like all the preceding during the reigns of James and Charles, and even of Elizabeth, was much governed by the puritanical party, thought that they could not better ſerve their cauſe, than by branding and puniſhing the Arminian ſect, which, introducing an innovation in the church, were the leaſt favoured and leaſt powerful of all their antagoniſts. From this meaſure it was eaſily foreſeen, that, beſides gratifying the animoſity of the doctrinal puritans, both the puritans in diſcipline, and thoſe in politics, would reap conſiderable advantages. Laud, Neile, Montague, and other biſhops, who were the chief ſupporters of epiſcopal government, and the moſt zealous partizans of the diſcipline and ceremonies of the church, were all ſuppoſed to be tainted with Arminianiſm. The ſame men and their diſciples were the ſtrenuous preachers of paſſive obedience, and of entire ſubmiſſion to princes; and if theſe could once be cenſured, and be expelled the church and court, it was concluded, that the hierarchy would receive a mortal blow, the ceremonies be leſs rigidly inſiſted on, and the king, deprived of his moſt faithful friends, be obliged to abate thoſe high claims of prerogative, on which at preſent he inſiſted.

BUT Charles, beſides a view of the political conſequences, which muſt reſult from a compliance with ſuch pretenſions, was ſtrongly determined, from principles of piety and conſcience, to oppoſe them. Neither the diſſipation incident to youth, nor the pleaſures attending a high fortune, had been able to prevent this virtuous prince embracing the moſt ſincere ſentiments of religion; and that character which, in that religious age, ſhould have been of infinite advantage to him, proved in the end the chief cauſe of his ruin: Merely becauſe the religion adopted by him was not of that preciſe mode and ſect which *began* to prevail among his ſubjects. His piety, though remote from popery, had a tincture of ſuperſtition in it; and,

being averſe to the gloomy ſpirit of the puritans, was repreſented by them as tending towards the abominations of antichriſt. Laud alſo had unfortunately acquired a great aſcendant over him: And as all thoſe prelates, obnoxious to the commons, were regarded as his chief friends and moſt favoured courtiers; he was reſolved not to diſarm and diſhonour himſelf, by abandoning them to the reſentment of his enemies. Being totally unprovided with military force, and finding a refractory independent ſpirit to prevail among the people; the moſt ſolid baſis of his authority, he thought, conſiſted in the ſupport which he received from the hierarchy.

IN the debates of the commons, which are tranſmitted to us, it is eaſy to diſcern ſo early, ſome ſparks of that enthuſiaſtic fire, which afterwards ſet the whole nation in combuſtion. One Rouſe made uſe of an alluſion, which, though familiar, ſeems to have been borrowed from the writings of lord Bacon [k]. "If a man meet a dog alone," ſaid he, "the dog is "fearful, though ever ſo fierce by nature: But, if the dog have his maſ- "ter with him, he will ſet upon that man from whom he fled before. "This ſhows, that lower natures, being backed by higher, encreaſe in "courage and ſtrength; and certainly man, being backed with Omnipo- "tency, is a kind of omnipotent creature. All things are poſſible to him "that believes; and where all things are poſſible, there is a kind of "omnipotency. Wherefore, let it be the unanimous conſent and reſoluti- "on of us all to make a vow and covenant henceforth to hold faſt our God "and our religion; and then ſhall we henceforth expect, with certainty, "happineſs in this world [l]."

OLIVER CROMWELL, at that time a young man of no account in the nation, is mentioned in theſe debates, as complaining of one, who, he was told, preached flat popery [m]. It is amuſing to obſerve the firſt words of this fanatical hypocrite correſpond ſo exactly to his character.

THE enquiries and debates concerning tonnage and poundage went hand in hand with theſe theological or metaphyſical controverſies. The officers of the cuſtom-houſe were ſummoned before the commons, to give an account by what authority they had ſeized the goods of merchants, who had refuſed to pay theſe duties: The barons of the exchequer were queſtioned concerning their decrees on that head [n]. One of the ſheriffs of London was committed to the Tower for his activity in ſupporting the officers of the cuſtom-houſe: The goods of Rolles, a merchant, and member of the houſe, being ſeized for his refuſal to pay the duties, complaints were made of this violence, as if it were a breach of privilege [o]: Charles ſupported his officers in all theſe meaſures; and the quarrel grew every day higher between him and the commons [p]. Mention was made in the houſe of im-

[k] Laſs of Atheiſm. [l] Ruſhworth, vol. i. p. 646. Parl. Hiſt. vol. viii. p. 260.
[m] Ruſhworth, vol. i. p. 655. Parl. Hiſt. vol. viii. p. 289. [n] Ruſhworth, vol. i. p. 654. Parl. Hiſt. vol. viii. p. 302. [o] Ruſhworth, vol. i. p. 653. [p] Ibid. p. 65

peaching Sir Richard Weſton, the treaſurer [q]; and the king began to entertain thoughts of finiſhing the ſeſſion by a diſſolution.

SIR John Elliot framed a remonſtrance againſt levying tonnage and poundage without conſent of parliament, and offered it to the clerk to read. It was refuſed. He read it himſelf. The queſtion being then called for, the ſpeaker, Sir John Finch, ſaid, *That he had a command from the king to adjourn, and to put no queſtion* [r]. Upon which he roſe and left the chair. The whole houſe was in an uproar. The ſpeaker was puſhed back into the chair, and forcibly held in it by Hollis and Valentine; till a ſhort remonſtrance was framed, and was paſſed by acclamation rather than by vote. Papiſts and Arminians were there declared capital enemies to the commonwealth. Thoſe who levied tonnage and poundage were branded with the ſame epithet. And even the merchants who ſhould voluntarily pay theſe duties, were denominated betrayers of Engliſh liberty, and public enemies. The doors being locked, the gentleman uſher of the houſe of lords, who was ſent by the king, could not get admittance till this remonſtrance was finiſhed. By the king's order, he took the mace from the table which ended their proceedings [s]. And a few days after the parliament was diſſolved.

1629. Diſſolution of the parliament. March 10.

THE diſcontents of the nation ran high, on account of this violent rupture between the king and parliament. Theſe diſcontents Charles inflamed by his affectation of a ſeverity which he had not power, nor probably inclination, to carry to extremities. Sir Miles Hobart, Sir Peter Heyman, Selden, Coriton, Long, Strode, were committed to priſon, on account of the laſt tumult in the houſe, which was called ſedition [t]. With great difficulty, and after ſeveral delays, they were releaſed; and the law was generally ſuppoſed to be wreſted, in order to prolong their impriſonment. Sir John Elliot, Hollis, and Valentine, were ſummoned to their trial in the king's bench, for ſeditious ſpeeches and behaviour in parliament; but refuſing to anſwer before an inferior court for their conduct, as members of a ſuperior, they were condemned to be impriſoned during the king's pleaſure, to find ſureties for their good behaviour, and to be fined, the two former a thouſand pounds a-piece, the latter five hundred [u]. This ſentence, procured by the influence of the crown, ſerved only to ſhow the

[q] Parl. Hiſt. vol. viii. p. 326.

[r] The king's power of adjourning, as well as proroguing the parliament, was and is never queſtioned. In the 19th of the late king, the judges determined, that the adjournment by the king kept the parliament *in ſtatu quo* until the next ſitting, but that then no committees were to meet: But if the adjournment be by the houſe, then the committees and other matters do continue. Parl. Hiſt. vol. v. p. 466.

[s] Ruſhworth, vol. i. p. 660. Whitlocke, p. 12. Parl. Hiſt. vol. viii. p. 354. May, p. 13.

[t] Ruſhworth, vol. i. p. 661. 681.

[u] Ruſhworth, vol. i. p. 684. 691.

king's diſregard to the privileges of parliament, and to acquire an immenſe ſtock of popularity to the ſufferers, who had ſo bravely, in oppoſition to arbitrary power, defended the liberties of their native country. The commons of England, though an immenſe body, and poſſeſſed of the greater part of national property, were naturally ſomewhat defenceleſs; becauſe of their perſonal equality, and their want of leaders: But the king's ſeverity, if theſe proſecutions deſerve the name, here pointed out leaders to them, whoſe reſentment was inflamed, and whoſe courage was no-wiſe daunted by the hardſhips which they had undergone in ſo honourable a cauſe.

So much did theſe priſoners glory in their ſufferings, that, though they were promiſed liberty on that condition, they would not condeſcend even to preſent a petition to the king, expreſſing their ſorrow for having offended him [x]. They unanimouſly refuſed to find ſureties for their good behaviour; and diſdained to accept of deliverance on ſuch eaſy terms. Nay, Hollis was ſo induſtrious to continue his meritorious diſtreſs, that, when one offered to bail him, he would not yield to the rule of court, and be himſelf bound with his friend. Even Long, who had actually found ſureties in the chief juſtice's chamber, declared in court, that his ſureties ſhould no longer continue [y]. Yet becauſe Sir John Elliot happened to die while in cuſtody, a great clamour was raiſed againſt the adminiſtration; and he was univerſally regarded as a martyr to the liberties of England [z].

CHAP. LII.

Peace with France—— Peace with Spain——— State of the court and miniſtry —— Character of the queen——Strafford—— Laud—— Innovations in the church—— Irregular levies of money—— Severities in the ſtar-chamber and high commiſſion ——— Ship money——— Trial of Hambden.

1629 THERE now opens to us a new ſcene. Charles, naturally diſguſted with parliaments, who, he found, were determined to proceed againſt him with unmitigated rigour, both in invading his prerogative, and refuſing him all ſupply, reſolved not to call any more, till he ſhould ſee greater indications of a compliant diſpoſition in the nation. Having loſt his great favourite, Buckingham, he became his own miniſter; and never afterwards repoſed in any one ſuch unlimited confidence. As he chiefly follows his own genius and diſpoſi-

[x] Whitlocke, p. 13. [y] Kennet, vol. iii. p. 49. [z] Ruſhworth, vol. v. p. 440.

tion, his measures are henceforth less rash and hasty; though the general tenor of his administration still wants somewhat of being entirely legal, and perhaps more of being entirely prudent.

WE shall endeavour to exhibit a just idea of the events which followed for some years; so far as they regard foreign affairs, the state of the court, and the government of the nation. The incidents are neither numerous nor illustrious; but the knowledge of them is necessary for understanding the subsequent transactions, which are so memorable.

CHARLES, destitute of all supply, was necessarily reduced to embrace a measure, which ought to have been the result of reason and sound policy: He made peace with the two crowns, against which he had hitherto waged a war, entered into without necessity, and conducted without glory. Notwithstanding the distracted and helpless condition of England, no attempt was made either by France or Spain, to invade their enemy; nor did they entertain any farther project, than to defend themselves against the feeble and ill-concerted expeditions of that kingdom. Pleased that the jealousies and quarrels between king and parliament had disarmed so formidable a power, they carefully avoided any enterprize which might rouze either the terror or anger of the English, and dispose them to domestic union and submission. The endeavours to regain the good-will of the nation were carried so far by the king of Spain, that he generously released and sent home all the English prisoners taken in the expedition against Cadiz. The example was imitated by France, after the retreat of the English from the isle of Rhé. When princes were in such dispositions, and had so few pretensions on each other, it could not be difficult to conclude a peace. The treaty was first signed with France [c]. The situation of the king's affairs did not entitle him to demand any conditions for Hugonots, and they were abandoned to the will of their sovereign. Peace was afterwards concluded with Spain; where no conditions were made in favour of the Palatine, except that Spain promised in general to use their good offices for his restoration [d]. The influence of these two wars on domestic affairs, and on the dispositions of king and people, was of the utmost consequence: But no alteration was made by them on the foreign interests of the kingdom.

1629. Peace with France and Spain. 14th April. 1630 5th Nov

NOTHING more happy can be imagined than the situation in which England then stood with regard to foreign affairs. Europe was divided between the rival families of Bourbon and Austria, whose opposite interests, and still more their mutual jealousies, secured the tranquillity of this island. Their forces were so nearly counterpoised, that no apprehensions were en-

[c] Rushworth, vol. ii. p. 23, 24. [d] Idem, ibid. p. 75. Whitlocke, p. 14.

tertained of any event which could ſuddenly diſturb the balance of power between them. The Spaniſh monarch, deemed the moſt powerful, lay at the greateſt diſtance: And the Engliſh, by that means, poſſeſſed the advantage of being engaged by political motives into a more intimate union and confederacy with the neighbouring potentate. The diſperſed ſituation of the Spaniſh dominions rendered the naval power of England formidable to them, and kept that empire in continual dependence. France, more vigorous and more compact, was every day riſing in policy and diſcipline; and reached, at laſt, an equality of power with the houſe of Auſtria: But her progreſs, ſlow and gradual, left it ſtill in the power of England, by a timely interpoſition, to check her ſuperiority. And thus Charles, could he have avoided all diſſentions with his own ſubjects, was in a ſituation to make himſelf be courted and reſpected by every power in Europe; and, what has ſcarcely ever ſince been attained by the princes of this iſland, he could either be active with dignity, or neutral with ſecurity.

A NEUTRALITY was embraced by the king; and, during the reſt of his reign, he ſeems to have little regarded foreign affairs, except ſo far as he was engaged by honour, and by friendſhip for his ſiſter and the Palatine, to endeavour the procuring of ſome relief for that unhappy family. He joined his good offices to thoſe of France, and mediated a peace between the kings of Sweden and Poland, in hopes of engaging the former to embrace the protection of the oppreſſed proteſtants in the empire. This was the famed Guſtavus, whoſe heroic genius, ſeconded by the wiſeſt policy, made him in a little time the moſt diſtinguiſhed monarch of the age, and rendered his country, formerly unknown and neglected, of great weight in the balance of Europe. To encourage and aſſiſt him in his projected invaſion of Germany, Charles agreed to furniſh him with ſix thouſand men; but, that he might preſerve the appearance of neutrality, he made uſe of the marquis of Hamilton's name [c]. That nobleman entered into an engagement with Guſtavus; and enliſting theſe troops in England and Scotland at Charles's expence, he landed them in the Elbe. The deciſive battle of Leipſic was fought ſoon after; where the conduct of Tilly and the valour of the Imperialiſts were overcome by the ſuperior conduct of Guſtavus and the ſuperior valour of the Swedes. What remained of this hero's life was one continued ſeries of victory, for which he was leſs beholden to fortune, than to thoſe perſonal endowments, which he derived from nature and from induſtry. That rapid progreſs of conqueſt, which we ſo much admire in ancient hiſtory, was here renewed in modern annals; and without that cauſe, to which, in former ages, it had ever been owing. Military nations were not now engaged againſt an undiſciplined and unwarlike people; nor heroes ſet in oppoſition to cowards. The veteran

[c] Ruſhworth, vol. i. p. 46. 53. 62. 83.

troops of Ferdinand, conducted by the moſt celebrated generals of the age, were foiled in every encounter, and all Germany was over-run in an inſtant by the victorious Swede. But by this extraordinary and unexpected ſucceſs of his ally, Charles failed of the purpoſe for which he framed the alliance. Guſtavus, elated by proſperity, began to form more extenſive plans of ambition; and in freeing Germany from the yoke of Ferdinand, he intended to reduce it to ſubjection under his own. He refuſed to reſtore the Palatine to his principality, except on conditions, which would have kept him in total dependence [f]. And thus the negociation was protracted; till the battle of Lutzen, where the Swediſh monarch periſhed in the midſt of a complete victory, which he obtained over his enemies.

WE have carried on theſe tranſactions a few years beyond the preſent period, that we might not be obliged to return to them; nor be henceforth interrupted in our account of Charles's court and kingdoms.

1630. State of the court and miniſtry.

WHEN we conſider Charles as preſiding in his court, as aſſociating with his family, it is difficult to imagine a character at once more reſpectable and more amiable. A kind huſband, and indulgent father, a gentle maſter, a ſtedfaſt friend; to all theſe eulogies, his conduct in private life fully intitled him. As a monarch too, in the exterior qualities he excelled; in the eſſential, he was not defective. His addreſs and manner, though perhaps inclining a little towards ſtatelineſs and formality, in the main correſponded to his high rank, and gave grace to that reſerve and gravity, which were natural to him. The moderation and equity, which ſhone forth in his temper, *ſeemed* to ſecure him againſt raſh and dangerous enterprizes: The good ſenſe, which he diſplayed in his diſcourſe and converſation, *ſeemed* to warrant his ſucceſs in every reaſonable undertaking. Other endowments likewiſe he had attained, which, in a private gentleman, would have been highly ornamental, and which, in a great monarch, might have proved extremely uſeful to his people. He was poſſeſſed of an excellent taſte in all the fine arts; and the love of painting was in ſome degree his favourite paſſion. Learned beyond what is common in princes, he was a good judge of writing in others, and enjoyed, himſelf, no mean talent in compoſition. In any other age or nation, this monarch had been ſecure of a proſperous and a happy reign. But the high idea of his own authority, which he had imbibed, made him incapable of giving way to the ſpirit of liberty, which *began* to prevail among his ſubjects. His politics were not ſupported by ſuch vigour and foreſight as might enable him to ſubdue their pretenſions, and maintain his prerogative at the high pitch, to which it had been raiſed by his predeceſſors. And above all, the ſpirit of enthuſ-

[f] Franklyn, vol. i. p. 415.

asm, being universally diffused, disappointed all the views of human prudence, and disturbed the operation of every motive, which usually influences society.

But the misfortunes, arising from these causes, were yet remote. Charles now enjoyed himself in the full exercise of his authority, in a social intercourse with his friends and courtiers, and in a moderate use of those pleasures, which he most affected.

Character of the queen.

After the death of Buckingham, who had somewhat alienated Charles from the queen, she is to be considered as his chief friend and favourite. That rustic contempt of the fair sex, which James affected, and which, banishing them from his court, made it resemble more a fair or an exchange, than the seat of a great prince, was very wide of the disposition of this monarch. But though full of complaisance to the whole sex, Charles reserved all his passion for his consort, to whom he attached himself with unshaken fidelity and confidence. By her sense and spirit, as well as by her beauty she justified the fondness of her husband; though it is allowed, that being somewhat of a passionate temper, she precipitated him into hasty and imprudent measures. Her religion, likewise, to which she was much addicted, must be regarded as a great misfortune; since it augmented the jealousy, which prevailed against the court, and engaged her to procure for the catholics some indulgencies, which were generally distasteful to the nation [g].

In the former situation of the English government, when the sovereign was in a great measure independent of his subjects, the king chose his ministers, either from personal favour, or from an opinion of their abilities, without any regard to their parliamentary interest or talents. It has since been the maxim of princes, wherever popular leaders encroach too much on royal authority, to confer offices on them; in expectation that they will afterwards become more careful not to diminish that power, which has become their own. These politics were now embraced by Charles; a sure proof that a secret revolution had happened in the constitution, and had necessitated the prince to adopt new maxims of government. But the views of the king were at this time so repugnant to those of the puritans, that the leaders, whom he gained, lost, from that moment, all interest with their party, and were even pursued as traitors, with implacable hatred and resentment. This was the case with Sir Thomas Wentworth, whom the king created, first a baron, then a viscount, and afterwards earl of Strafford; made him president of the council of York, and deputy of Ireland; and regarded him as his chief minister and counsellor. By his eminent talents and abilities, Strafford meri-

Strafford.

[g] May, p. 21. [h] Sir Edw. Walker, p. 328.

ted all the confidence, which his maſter repoſed in him: His character was ſtately and auſtere; more fitted to procure eſteem than love: His fidelity to the king was unſhaken; but as he now employed all his counſels to ſupport the prerogative, which he had formerly bent all his endeavours to diminiſh, his virtue ſeems not to have been entirely pure, but to have been ſuſceptible of ſtrong impreſſions from private intereſt and ambition. Sir Dudley Digges was about the ſame time created maſter of the rolls: Noy, attorney-general: Littleton, ſolicitor-general. All theſe had likewiſe been parliamentary leaders; and were men eminent in their profeſſion[i].

Laud. In all eccleſiaſtical affairs, and even in many civil, Laud, biſhop of London, had great influence over the king. This man was virtuous, if ſeverity of manners alone and abſtinence from pleaſure, could deſerve that name. He was learned, if polemical knowledge could intitle him to that praiſe. He was diſintereſted, but with unceaſing induſtry he ſtudied to exalt the prieſtly and prelatical character, which was his own. His zeal was unrelenting in the cauſe of religion; that is, in impoſing, by rigorous meaſures, his own tenets and pious ceremonies on the obſtinate puritans, who had profanely dared to oppoſe him. In proſecution of holy purpoſes, he overlooked all human conſideration; or, in other words, the heat and indiſcretion of his temper made him neglect the views of prudence and rules of good manners. He was in this reſpect happy, that all his enemies were alſo imagined by him the declared enemies to loyalty and true piety, and that every exerciſe of his anger, by that means, became in his eyes a merit and a virtue. This was the man who acquired ſo great an aſcendant over Charles, and who led him, by the facility of his temper, into a conduct, which proved ſo fatal to himſelf and to his kingdoms.

1630. Innovations in the church. THE humour of the nation ran at that time into the extreme oppoſite to ſuperſtition; and it was with difficulty that the ancient ceremonies, to which men had been accuſtomed, and which had been ſanctified by the practice of the firſt reformers, could be retained in divine ſervice: Yet was this the time which Laud choſe for the introduction of new ceremonies and obſervances. Beſides that theſe were ſure to diſpleaſe as innovations, there lay, in the opinion of the public, another very forcible objection againſt them. Laud, and the other prelates who embraced his meaſures, were generally well inſtructed in ſacred antiquity, and had adopted many of thoſe religious ſentiments, which prevailed during the fourth and fifth centuries; when the Chriſtian church, as is well known, was already ſunk into thoſe ſuperſtitions, which were afterwards continued and augmented by the policy of Rome. The

[i] Whitlocke. p. 13. May. p. 10.

revival, therefore, of the ideas and practices of that age, could not fail of giving the Engliſh faith and liturgy ſome reſemblance to the catholic ſuperſtition, which the kingdom in general, and the puritans in particular, held in the greateſt horror and deteſtation. Men alſo were apt to think, that without ſome ſecret purpoſe, ſuch inſignificant obſervances would not be impoſed with ſuch unrelenting zeal on the refractory nation; and that Laud's ſcheme was to lead back the Engliſh, by gradual ſteps, to the religion of their anceſtors. They conſidered not, that the very inſignificancy of theſe ceremonies recommended them to the ſuperſtitious prelate, and made them appear the more peculiarly ſacred and religious, as they could ſerve to no other purpoſe. Nor was the reſemblance to the Romiſh ritual any objection, but rather a merit, with Laud and his brethren; who bore a much greater kindneſs to the mother-church, as they called her, than to the ſectaries and preſbyterians, and frequently recommended her as a true Chriſtian church; an appellation which they refuſed, or at leaſt ſcrupled to give to the others [k]. So openly were theſe tenets eſpouſed, that not only the diſcontented puritans believed the church of England to be relapſing faſt into Romiſh ſuperſtition: The court of Rome itſelf entertained hopes of regaining its authority in this iſland; and, in order to forward Laud's ſuppoſed good intentions, an offer was twice made him, in private, of a cardinal's hat, which he declined accepting [l]. His anſwer was, as he ſays himſelf, *That ſomething dwelt within him, which would not ſuffer his compliance, till Rome were other than it is* [m].

A COURT lady, daughter of the earl of Devonſhire, having turned catholic, was aſked by Laud the reaſons of her converſion. 'Tis *chiefly* ſaid ſhe, *becauſe I hate to travel in a crowd.* The meaning of this expreſſion being demanded, ſhe replied, *I perceive your grace and many others are making haſte to Rome; and therefore, in order to prevent my being crowded, I have gone before you.* It muſt be confeſſed, that though Laud deſerved not the appellation of papiſt, the genius of his religion was, though in a leſs degree, the ſame with that of the Romiſh: The ſame profound reſpect was exacted to the ſacerdotal character, the ſame ſubmiſſion required to the creeds and decrees of ſynods and councils, the ſame pomp and ceremony was affected in worſhip, and the ſame ſuperſtitious regard to days, poſtures, meats, and veſtments. No wonder, therefore, that this prelate was, every-where, among the puritans, regarded with horror, as the forerunner of antichriſt.

As a ſpecimen of the new ceremonies, to which Laud ſacrificed his own quiet and that of the nation, it may not be amiſs to relate, thoſe, which he was accuſed of employing in the conſecration of St. Catherine's church, and which were the object of ſuch general ſcandal and offence.

[k] May, p. 25. [l] Ruſhworth, vol. ii. p. 190. Welwood, p. 61. [m] Ruſhworth, vol. iii. p. 1327. Whitlocke, p. 97.

ON the biſhop's approach to the weſt door of the church, a loud voice cried, *Open, open, ye everlaſting doors, that the king of glory may enter in!* Immediately the doors of the church flew open, and the biſhop entered. Falling upon his knees, with eyes elevated and arms expanded, he uttered theſe words: *This place is holy; the ground is holy: In the name of the Father, Son, and the Holy Ghoſt, I pronounce it Holy.*

GOING towards the chancel, he ſeveral times took up from the floor ſome of the duſt, and threw it in the air. When he approached with his attendants, near to the communion-table, he bowed frequently towards it: And on their return, they went round the church repeating as they marched along, ſome of the pſalms: And then ſaid a form of prayer, which concluded with theſe words: *We conſecrate this church, and ſeparate it unto thee as holy ground, not to be profaned any more to common uſes.*

AFTER this, the biſhop, ſtanding near the communion-table, ſolemnly pronounced many imprecations upon ſuch as ſhould afterwards pollute that holy place by muſters of ſoldiers, or keeping in it profane law-courts, or carrying burthens through it. On the concluſion of every curſe, he bowed towards the eaſt, and cried, *Let all the people ſay, Amen.*

THE imprecations being all ſo piouſly finiſhed, there were poured out a number of bleſſings upon ſuch as had any hand in framing and building that ſacred and beautiful edifice, and on ſuch as had given, or ſhould hereafter give to it, any chalices, plate, ornaments, or utenſils. At every benediction, he in like manner bowed towards the eaſt, and cried, *Let all the people ſay, Amen.*

THE ſermon followed; after which, the biſhop conſecrated and adminiſtered the ſacrament in the following manner:

As he approached the communion-table, he made many lowly reverences: And coming up to that part of the table where the bread and wine lay, he bowed ſeven times. After the reading of many prayers, he approached the ſacramental elements, and gently lifted up the corner of the napkin, in which the bread was placed. When he beheld the bread, he ſuddenly let fall the napkin, flew back a ſtep or two, bowed three ſeveral times towards the bread; then he drew nigh again, opened the napkin, and bowed as before.

NEXT, he laid his hand on the cup, which had a cover upon it, and was filled with wine. He let go the cup, fell back, and bowed thrice toward it. He approached again; and lifting up the cover, peeped into the cup. Seeing the wine, he let fall the cover, ſtarted back, and bowed as before. Then he received the ſacrament, and gave it to others. And many prayers being ſaid, the ſolemnity of the conſecration ended.

The walls and floor and roof of the fabric were then ſuppoſed to be ſufficiently holy [n].

ORDERS were given and rigorouſly inſiſted on, that the communion-table ſhould be removed from the middle of the area, where it hitherto ſtood in all churches, except in cathedrals [o]. It was placed at the eaſt end, railed in, and denominated an ALTAR; as the clergyman who officiated, received commonly the appellation of PRIEST. It is not eaſy to imagine the diſcontents excited by this innovation, and the ſuppoſitions which it gave riſe to.

THE kneeling at the altar, and the uſing of copes, a ſpecies of embroidered veſtment, in adminiſtering the ſacrament, were alſo known to be great objects of ſcandal, as being popiſh practices: But the oppoſition rather encreaſed than abated the zeal of the prelate, for the introduction of theſe habits and ceremonies.

ALL kinds of ornament eſpecially pictures, were neceſſary for ſupporting that mechanical devotion, which was purpoſed to be raiſed in this model of religion: But as theſe had been ſo much employed by the church of Rome, and had given riſe to ſo much ſuperſtition, or what the Puritans called idolatry; it was impoſſible to introduce them into Engliſh churches, without exciting general murmurs and complaints. But Laud, poſſeſſed of preſent authority, perſiſted in his purpoſe, and made ſeveral attempts towards acquiring theſe ornaments. Some of the pictures, introduced by him were alſo found upon enquiry to be the very ſame that might be met with in the maſs-book. The crucifix too, that eternal conſolation of all pious catholics, and terror to all ſound proteſtants, was not forgotten on this occaſion [p].

IT was much remarked, that Sherfield the recorder of Saliſbury, was tried in the ſtar chamber, for having broken contrary to the biſhop of Saliſbury's expreſs injunctions, a painted window of St. Edmond's church in that city. He boaſted, that he had deſtroyed theſe monuments of idolatry: But for this effort of his zeal, he was fined 500 pounds, removed from his office, condemned to make a public acknowledgement, and be bound to his good behaviour [q].

NOT only ſuch of the clergy, as neglected to obſerve every ceremony, were ſuſpended and deprived by the high commiſſion-court; Oaths were by many of the biſhops, impoſed on the church-wardens; and they were ſworn to inform againſt any one, who acted contrary to the eccleſiaſtical canons [r]. Such a meaſure, though practiſed during the reign of Eliza-

[n] Ruſhworth, vol. ii. p. 76, 77. Welwood, p. 275. Franklyn, p. 386.
[o] Ruſhworth, vol. ii. p. 207. Whitlock, p. 24. [p] Ruſhworth, vol. ii. p. 272, 273.
[q] Ibid. p. 152. State Trials, vol. v. p. 46 Franklyn, p. 410, 411, 414.
[r] Ruſhworth, vol. ii. p. 186.

beth, gave much offence; as reſembling too nearly the practice of the Romiſh inquiſition.

To ſhow the greater alienation from the churches reformed after the preſbyterian model, Laud adviſed, that the diſcipline and worſhip of the church ſhould be impoſed on the Engliſh regiments and trading companies abroad[s]. All foreigners of the Dutch and Walloon congregations were commanded to attend the eſtabliſhed church; and indulgence was granted to none after the children of the firſt denizens[t]. Scudamore too, the king's ambaſſador at Paris, had orders to withdraw himſelf from the communion of the hugonots. Even men of ſenſe were apt to blame this conduct, not only becauſe it gave offence in England, but becauſe, in foreign countries, it loſt the crown the advantage of being conſidered as the head and ſupport of the reformation[u].

ON pretence of pacifying diſputes, orders were iſſued from the council, forbidding on both ſides, all preaching and printing with regard to the controverted points of predeſtination and free-will. But it was complained of, and probably with reaſon, that the impartiality was altogether confined to the orders, and that the execution of them was only meant againſt the calviniſts.

IN return for Charles's indulgence towards the church, Laud and his followers took care to magnify, on every occaſion, the regal authority, and to treat, with the utmoſt diſdain or deteſtation, all puritanical pretenſions to a free and independent conſtitution. But while theſe prelates were ſo liberal in raiſing the crown at the expence of public liberty, they made no ſcruple of encroaching, themſelves, on the royal rights the moſt inconteſtible; in order to exalt the hierarchy, and procure to their own order dominion and independence. All the doctrines which the Romiſh church had borrowed from ſome of the fathers, and which freed the ſpiritual from ſubordination to the civil power, were now adopted by the church of England, and interwoven with her political and religious tenets. A divine and apoſtolical charter was inſiſted on, preferably to a legal and parliamentary one[w]. The ſacerdotal character was magnified as ſacred and indefeizable: All right to ſpiritual authority, or even to private judgement in ſpiritual ſubjects, was refuſed to profane laymen: Eccleſiaſtical courts were held by the biſhops in their own name, without any notice taken of the king's authority: And Charles, though extremely jealous of every claim in popular aſſemblies, ſeemed rather to encourage than repreſs theſe incroachments of his clergy. Having felt many ſenſible

[s] Ruſhworth, vol. ii. p. 186. Franklyn, p. 249. [t] Ruſhworth, vol. ii. p. 272.
[u] State papers collected by the earl of Clarendon, p. 338. [w] Whitlocke, p. 21

inconveniencies from the independent ſpirit of parliaments, he attached himſelf entirely to thoſe who profeſſed a devoted obedience to his crown and perſon; nor did he foreſee that the eccleſiaſtical power, which he exalted, not admitting of any preciſe boundary, might in time become more dangerous to public peace, and no leſs fatal to royal prerogative than the other.

So early as the coronation, Laud was the perſon, according to general opinion, that introduced a novelty, which, though overlooked by Charles, made a deep impreſſion on many of the by-ſtanders. After the uſual ceremonies, theſe words were recited to the king: "Stand and hold faſt, "from henceforth, the place to which you have been heir by the ſucceſ- "ſion of your forefathers, being now delivered to you by the authority of "Almighty God, and by the hands of us and all the biſhops and ſervants "of God. And, as you ſee the clergy to come nearer the altar than o- "thers, ſo remember, that in all places convenient, you give them greater "honour; that the Mediator of God and man may eſtabliſh you on the "kingly throne, to be a mediator betwixt the clergy and the laity; and "that you may reign for ever with Jeſus Chriſt, the king of Kings, and "Lord of lords [x]."

THE principles which exalted prerogative, were not entertained by the king merely as ſoft and agreeable to his royal ears: They were alſo put in practice during the time that he ruled without parliaments. Though frugal and regular in his expence, he wanted money for the ſupport of government; and he levied it, either by the revival of obſolete laws, or by violations, ſome more open, ſome more diſguiſed, of the privileges of the nation. Though humane and gentle in his temper, he gave way to a few ſeverities in the ſtar chamber and high commiſſion, which ſeemed neceſſary, in order to ſupport the preſent mode of adminiſtration, and repreſs the riſing ſpirit of liberty throughout the kingdom. Under theſe two heads may be reduced all the remarkable tranſactions of this reign, during ſome years: For, in peaceable and proſperous times, where a neutrality in foreign affairs is obſerved, ſcarcely any thing is remarkable, but what is, in ſome degree, blamed, or blameable. And, leſt the hope of relief or protection from parliament might encourage oppoſition, Charles iſſued a proclamation in which he declared, "That, whereas, for ſeveral "ill ends, the calling again of a parliament is divulged; though his ma- "jeſty has ſhown, by frequent meetings with his people, his love to the "uſe of parliaments: Yet the late abuſe having, for the preſent, driven "him unwillingly out of that courſe; he will account it preſumption for "any one to preſcribe to him any time for the calling of that aſſembly [y]."

[x] Franklyn, p. 114. Ruſhworth, vol. i. p. 201.

[y] Parl. Hiſt. vol. viii. p. 389. Ruſh. vol. ii. p. 8.

This was generally conſtrued as a declaration, that, during this reign, no more parliaments were intended to be ſummoned [z]. And every meaſure of the king's confirmed a ſuſpicion ſo diſagreeable to the generality of the people.

1630. Irregular levies of money.

TONNAGE and poundage continued to be levied by the royal authority alone. The former additional impoſitions were ſtill exacted. Even new impoſitions, were laid on ſeveral kinds of merchandize [a].

THE cuſtom-houſe officers received orders from the council to enter into any houſe, warehouſe, or cellar; to ſearch any trunk or cheſt; and to break any bulk whatever; in default of the payment of cuſtoms [b].

IN order to exerciſe the militia, and to keep them in good order, each county, by an edict of the council, was aſſeſſed in a certain ſum, for maintaining a muſter-maſter, appointed for that ſervice [c].

COMPOSITIONS were openly made with recuſants, and the popiſh religion became a regular part of the revenue. This was all the perſecution which it underwent during the reign of Charles [d].

A COMMISSION was granted for compounding with ſuch as were poſſeſſed of crown lands upon defective titles; and, on this pretence, ſome money was exacted from the people [e].

THERE was a law of Edward II. [f]. That whoever was poſſeſſed of twenty pounds a year in land, ſhould be obliged, when ſummoned, to appear and to receive the order of knighthood. Twenty pounds, at that time, partly by the change of denomination, partly by that in the value of money, were equivalent to 200 in the ſeventeenth century; and it ſeemed juſt, that the king ſhould not ſtrictly inſiſt on the letter of the law, and oblige people of ſo ſmall revenue to accept of that expenſive honour. Edward VI. [g], and queen Elizabeth [h], who had both of them made uſe of this expedient for raiſing money, had ſummoned only thoſe who were poſſeſſed of forty pounds a-year and upwards to receive knighthood, or compound for their neglect; and Charles imitated their example, in granting the ſame indulgence. Commiſſioners were apppointed for fixing the rates of compoſition; and inſtructions were given to theſe commiſſioners, not to accept of a leſs ſum than would have been due by the party, upon a tax of three ſubſidies and a half [i]. Nothing proves more plainly, how ill diſpoſed the people were to the meaſures of the crown, than to obſerve, that they loudly complained of an expedient, founded on poſitive

[z] Clarendon, vol. i. p. 4. May, p. 14. [a] Ruſh. vol. ii. p. 8 May, p. 16. [b] Ruſh. vol. ii. p. 9. [c] Ruſh. vol. ii. p. 10. [d] Idem, ibid. p. 11, 12, 15. 247. [e] Idem, Ibid. p. 49. [f] *Statutum de militibus.* [g] Rymer. tom. xv. p. 124. [h] Idem, 493. 504. [i] Ruſh. vol. ii. p. 70, 71, 72. May, p. 16.

ſtatute, and warranted by ſuch recent precedents. The law was pretended to be obſolete; though only one reign had intervened ſince the laſt execution of it.

1630. Severities of the ſtar-chamber and high commiſſion.

BARNARD, lecturer of St. Sepulchre's, London, uſed this expreſſion in his prayer before ſermon; *Lord, open the eyes of the queen's majeſty, that ſhe may ſee Jeſus Chriſt, whom ſhe has pierced with her infidelity, ſuperſtition, and idolatry.* He was queſtioned in the high commiſſion court for this inſult on the queen; but upon his ſubmiſſion diſmiſſed [k]. Leighton who had written libels againſt the king, the queen, the biſhops, and the whole adminiſtration, was condemned by a very ſevere, if not a cruel ſentence; but the execution of it was ſuſpended for ſome time, in expectation of his ſubmiſſion [l]. All the ſeverities, indeed, of this reign were exerciſed againſt thoſe who triumphed in their ſufferings, who courted perſecution, and braved authority: And, on that account, their puniſhment may be deemed the more juſt, but the leſs prudent. To have neglected them entirely, had it been conſiſtent with order and public ſafety, had been the wiſeſt meaſure that could have been embraced; as perhaps it had been the moſt ſevere puniſhment that could have been inflicted on theſe zealots.

1631. In order to gratify the clergy with a magnificent fabric, ſubſcriptions were ſet on foot, for repairing and rebuilding St. Paul's; and the king, by his countenance and example, encouraged this laudable undertaking [m]. By order of the privy-council, St. Gregory's church was removed, as an impediment to the project of extending and beautifying the cathedral. Some houſes and ſhops likewiſe were pulled down; and compenſation was made to the owners [n]. As there was no immediate proſpect of aſſembling a parliament, ſuch acts of power in the king became neceſſary; and in no former age would the people have entertained any ſcruple with regard to them. It muſt be remarked, that the puritans were extremely averſe to the raiſing of this ornament to the capital. It favoured as they pretended of popiſh ſuperſtition.

A STAMP duty was impoſed on cards: A new tax, which of itſelf, was liable to no objection; but appeared of dangerous conſequence, when conſidered as arbitrary and illegal [o].

MONOPOLIES were revived; an oppreſſive method of levying money, being unlimited, as well as deſtructive of induſtry. The laſt parliament of James, which aboliſhed monopolies, had left an equitable exception in

[k] Ruſhworth. vol. ii. p. 32. Whitlocke, p. 15. [l] Kennet's complete Hiſt. vol. iii. p. 60. [m] Idem. p. 17. [n] Ruſhworth, vol. ii. p. 88, 89, 99. [o] Idem, ibid. p. 103.

favour of new inventions; and on pretence of these, and of erecting new companies and corporations, was this grievance now renewed. The manufacture of soap was given to a company who paid a sum for their patent [p]. Leather, salt, and many other commodities, even down to linen rags, were likewise put under restrictions.

IT is affirmed by Clarendon, that so little benefit was reaped from these projects, that of 200,000 pounds thereby levied on the people, scarcely 1500 came into the king's coffers. Though we ought not to suspect the noble historian of exaggerations to the disadvantage of Charles's measures; this fact, it must be owned, appears somewhat incredible. The same author adds, that the king's intention was to teach his subjects, how unthrifty a thing it was to refuse reasonable supplies to the crown. An imprudent project! to offend a whole nation, under the view of punishment; and to hope, by acts of violence, to break their refractory spirits, without being possessed of any force to prevent resistance.

1632. THE council of York had been first erected, after a rebellion by a patent from Henry VIII. without any authority of parliament; and this exercise of power, like many others, was indulged to that arbitrary monarch. This council had long acted chiefly as a criminal court; but besides some innovations, introduced by James, Charles thought proper, some time after Wentworth was made president, to extend its powers, and to give it a large civil jurisdiction, and that, in some respects discretionary [q]. It is not improbable, that the king's intention was only to prevent inconveniencies, which arose from the bringing of every cause, from the most distant parts of the kingdom, into Westminster-hall: But the consequence, in the mean time, of this measure, was the putting of all the northern counties out of the protection of the ordinary law, and subjecting them to an authority somewhat arbitrary. Some irregular acts of that council, were, this year, complained of [r].

1633. THE court of star-chamber, extended its authority; and it was matter of complaint, that it encroached upon the jurisdiction of the other courts; imposing heavy fines and inflicting severe punishment, beyond the usual course of justice. Sir David Foulis was fined 5000 pounds, chiefly because he had dissuaded a friend from compounding with the commissioners of knighthood [s].

PRYNNE, a barrister of Lincoln's-inn, had written an enormous quarto of a thousand pages, which he had called *Histrio-mastyx*. Its professed

[p] Rushworth, vol. ii. p. 136. 142. 189. 252. Franklyn, p. 412.
[q] Ibid. vol. ii. p. 158, 159, &c.
[r] Rushworth, vol. i. p. 202, 203.
[s] Ibid. vol ii. p. 215, 216, &c.

purpoſe was to decry ſtage plays, comedies, interludes, muſic, dancing; but the author likewiſe took occaſion to declaim againſt hunting, public feſtivals, Chriſtmas-keeping, bonfires, and May-poles. His zeal againſt all theſe levities, he ſays, was firſt moved, by obſerving, that plays ſold better than the choiceſt ſermons, and that they were frequently printed on finer paper than the Bible itſelf. Beſides, that the players were often papiſts, and deſperately wicked; the play-houſes, he affirms, are Satan's chapels, the play-haunters little better than incarnate devils; and ſo many ſteps in a dance, ſo many paces to hell. The chief crime of Nero he repreſents to have been, his frequenting and acting of plays; and thoſe, who nobly conſpired his death, were principally moved to it, as he affirms, by their indignation at that enormity. The reſt of his thouſand pages is of a like ſtrain. He had obtained a licence from archbiſhop Abbot's chaplain; yet was he indicted in the ſtar chamber as a libeller. It was thought ſomewhat hard, that general invectives againſt plays ſhould be interpreted into ſatires againſt the king and queen, merely becauſe they frequented theſe amuſements, and becauſe the queen ſometimes acted a part in paſtorals and interludes, which were repreſented at court. The author, it muſt be owned, had, in plainer terms, blamed the hierarchy, the ceremonies, the innovations in religious worſhip, and the new ſuperſtitions introduced by Laud [t]; and this, probably, together with the obſtinacy, and petulance of his behaviour before the ſtar-chamber, was the reaſon why his ſentence was ſo ſevere. He was condemned to be put from the bar; to ſtand on the pillory in two places, Weſtminſter and Cheapſide, to loſe both his ears, one in each place; to pay 5000 pounds fine to the king; and to be impriſoned during life [u].

THIS ſame Prynne was a great hero among the Puritans; and it was chiefly with a view of mortifying that ſect, that, though of an honourable profeſſion, he was condemned by the ſtar-chamber to ſo ignominious a puniſhment. The thorough-paced Puritans were diſtinguiſhable by the ſourneſs and auſterity of their manners, and by their averſion to all pleaſure and ſociety [w]. To inſpire them with better humour, was certainly, both for their own ſake and that of the public, a laudable intention in the court, but whether pillories, fines, and priſons, were proper expedients for that purpoſe, may admit of ſome queſtion.

[t] The muſic in the churches, he affirmed not to be the noiſe of men, but a bleating of brute beaſts; choriſters bellow the tenor, as it were oxen; bark a counterpart, as it were a kennel of dogs: roar out a treble, as it were a ſort of bulls; and grunt out a baſs, as it were a number of hogs: Chriſtmas, as it is kept, is the devil's chriſtmas; and Pyrnne employed a great number of pages to perſuade men to affect the name *Puritan*, as if Chriſt had been a puritan; and ſo he ſaith in his Index. Ruſh. vol. ii. p. 203. [u] Ruſh. ibid. p. 220, 221, &c. [w] Dugdale, p. 21

ANOTHER expedient which the king tried, in order to infuſe cheerfulneſs into the national devotion, was not much more ſucceſsful. He renewed his father's edict for allowing ſports and recreations on Sunday to ſuch as attended public worſhip; and he ordered his proclamation for that purpoſe to be publicly read by the clergy after divine ſervice [x]. Thoſe who were puritanically affected, refuſed obedience, and were puniſhed by ſuſpenſion or deprivation. The differences between the ſects were before ſufficiently great; nor was it neceſſary to widen them farther by theſe inventions.

SOME encouragement and protection, which the king and the biſhops gave to wakes, church-ales, bride-ales, and other cheerful feſtivals of the common people, were the objects of like ſcandal to the Puritans [y].

1634 June. 12 THIS year Charles made a journey to Scotland, attended by the court, in order to hold a parliament there, and to paſs through the ceremony of his coronation. The nobility and gentry of both kingdoms rivaled each other, in expreſſing all duty and reſpect to the king, and in ſhowing mutual friendſhip and regard to each other. No one could have ſuſpected, from exterior appearances, that ſuch dreadful ſcenes were approaching.

ONE chief article of buſineſs (for it deſerves the name) which the king tranſacted in this parliament, was, beſides obtaining ſome ſupply, to procure authority for ordering the habits of clergymen [z]. The act did not paſs without oppoſition and difficulty. The dreadful ſurplice was before men's eyes; and they apprehended, with ſome reaſon, that, under ſanction of this law, it would ſoon be introduced among them. Though the king believed that his prerogative intitled him to a power, in general, of directing whatever belonged to the exterior government of the church, this was deemed a matter of too great importance to be ordered without the ſanction of a particular ſtatute.

IMMEDIATELY after the king's return to England, he heard of archbiſhop Abbot's death: And, without delay, he conferred that dignity on his favourite, Laud; who, by this acceſſion of authority, was now enabled to maintain eccleſiaſtical diſcipline with greater rigour, and to aggravate the general diſcontent of the nation.

LAUD obtained the biſhopric of London for his friend Juxon; and, about a year after the death of Sir Richard Weſton, created earl of Portland, had intereſt enough to engage the king to make that prelate high treaſurer. Juxon was a perſon of great integrity, mildneſs, and humanity, and endued with a good underſtanding [a]. Yet did this laſt promotion

[x] Ruſh. vol. ii. p. 193. 459. Whitlocke, p. 16, 17. Franklyn, p 437.
[y] Ruſh. vol. ii. p. 191, 192. May, p. 2. [z] Ruſh. ibid. p. 183.
[a] Whitlocke, p. 23. Clarendon, vol. i. p. 99.

give general offence. His birth and character were deemed too obſcure for a man raiſed to one of the higheſt offices of the crown. And the clergy, it was thought, were already too much elated by former inſtances of the king's attachment to them, and needed not this farther encouragement to aſſume dominion over the laity [b]. The Puritans, likewiſe, were much diſſatisfied with Juxon, notwithſtanding his eminent virtues, becauſe he was a lover of profane field-ſports, and hunting.

1634. Ship money.

SHIP-MONEY was now introduced. The firſt writs of this kind had been directed to ſea-port towns only: But ſhip-money was at this time levied on the whole kingdom; and each county was rated at a particular ſum, which was afterwards aſſeſſed upon individuals [c]. The amount of the whole tax was very moderate, little exceeding 200,000 pounds: It was levied upon the people with equality: The money was entirely expended on the navy, to the great honour and advantage of the kingdom: As England had no military force, while all the other powers of Europe were ſtrongly armed, a fleet ſeemed abſolutely neceſſary for her ſecurity: And it was obvious that a navy muſt be built and equipped at leiſure, during peace; nor could it poſſibly be fitted out on a ſudden emergence, when the danger became urgent: Yet all theſe conſiderations could not reconcile the people to the impoſition. It was entirely arbitrary: By the ſame right any other tax might be impoſed: And men thought a powerful fleet, though very deſirable both for the credit and ſafety of the kingdom, but an unequal recompence for their liberties, which, they apprehended, were thus ſacrificed to the obtaining of it.

ENGLAND, it muſt be owned, was, in this reſpect, unhappy in its preſent ſituation, that the king had entertained a very different idea of the conſtitution, from that which *began*, in general to prevail among his ſubjects. He did not regard national privileges as ſo ſacred and inviolable, that nothing but the moſt extreme neceſſity could juſtify an infringement of them. He conſidered himſelf as the ſupreme magiſtrate, to whoſe care heaven, by his birth right, had committed his people, whoſe duty it was to provide for their ſecurity and happineſs, and who was veſted with ample diſcretionary powers for that ſalutary purpoſe. If the obſervance of ancient laws and cuſtoms was conſiſtent with the preſent convenience of government, he thought himſelf obliged to comply with that rule; as the eaſieſt, the ſafeſt, and what procured the moſt prompt and willing obedience. But when a change of circumſtances, eſpecially if derived from the obſtinacy of the people, required a new plan of adminiſtration, national privileges, he thought, muſt yield to ſupreme power; nor could any order of the ſtate oppoſe any right to the will of the ſovereign, directed to the good

[b] Clarendon, vol. i. p. 97. May, p. 23. [c] Ruſhworth, vol. ii. p. 257, 258, &c.

of the public [d]. That theſe principles of government were derived from the uniform tenor of the Engliſh laws, it would be raſh to affirm. The fluctuating nature of the conſtitution, the impatient humour of the people, and the variety of events, had, no doubt, in different ages, produced exceptions and contradictions. Theſe obſervations alone may be eſtabliſhed on both ſides, *that* the appearances were ſufficiently ſtrong in favour of the king to apologize for his following ſuch maxims; and *that* public liberty muſt be ſo precarious under this exorbitant prerogative, as to render an oppoſition not only excuſeable, but laudable, in the people [e].

SOME laws had been enacted, during the reign of Henry VII. againſt depopulation, or the converting of arable lands into paſture. By a decree of the ſtar-chamber, Sir Anthony Roper, was fined 4000 pounds for an offence of that nature [f]. This ſevere ſentence was intended to terrify others into compoſition; and above 30,000 pounds were levied by that expedient [g]. Like compoſitions, or, in default of them, heavy fines, were required for encroachments on the king's foreſts; whoſe bounds, by decrees deemed arbitrary, were extended much beyond what was uſual [h]. The bounds of one foreſt, that of Rockingham, were encreaſed from ſix miles to ſixty [i]. The ſame refractory humour which made the people refuſe to the king voluntary ſupplies, diſpoſed them, with better reaſon, to murmur againſt theſe irregular methods of taxation.

MORLEY was fined 10,000 pounds, for reviling, challenging, and ſtriking, in the court of Whitehall, Sir George Theobold, one of the king's ſervants [k]. This fine was thought exorbitant; but whether it was compounded, as was uſual in fines impoſed by the ſtar-chamber, we are not informed.

ALLISON had reported, that the archbiſhop of York had incurred the king's diſpleaſure, by aſking a limited toleration for the catholics, and an allowance to build ſome churches for the exerciſe of their religion. For this ſlander againſt the archbiſhop, he was condemned in the ſtar-chamber to be fined 1000 pounds, to be committed to priſon, to be bound to his good behaviour during life, to be whipped, and to be ſet on the pillory at Weſtminſter, and in three other towns in England. Robins, who had been an accomplice in the guilt, was condemned by a ſentence equally ſevere [l]. Such events are rather to be conſidered as rare and detached incidents, collected by the ſevere ſcrutiny of hiſtorians, than as proofs of the prevailing genius of the king's adminiſtration, which ſeems to have been more gentle and equitable than that of moſt of his predeceſſors: There

[d] Ruſhworth, vol. iv. p. 535. 542. [e] See note [Y] at the end of the volume.
[f] Ruſhworth, vol. ii. p. 270. Vol. iii. App. p. 106. [g] Idem, vol. iii. p. 333. Franklyn, p. 478. [h] May, p. 16. [i] Strafford's Letters and Diſpatches, vol. i. p. 117. [k] Ruſhworth, vol. ii. p. 270. [l] Ibid. p. 269.

were, on the whole, only five or ſix ſuch inſtances of rigour during the courſe of fifteen years, which elapſed before the meeting of the long parliament. And it is alſo certain, that ſcandal againſt the great, though ſeldom proſecuted at preſent, is, however, in the eye of the law, a great crime, and ſubjects the offender to very heavy penalties.

THERE are other inſtances of the high reſpect paid to the nobility and to the great in that age; when the powers of monarchy, though diſputed, ſtill maintained themſelves in their priſtine vigour. Clarendon [m] tells us a pleaſant incident to this purpoſe: A waterman, belonging to a man of quality, having a ſquabble with a citizen about his fare, ſhowed his badge, the creſt of his maſter, which happened to be a ſwan; and thence inſiſted on better treatment from the citizen. But the other replied careleſsly, that he did not trouble his head about that gooſe. For this offence he was ſummoned before the marſhal's court; was fined, as having opprobriouſly defamed the nobleman's creſt, by calling the ſwan a gooſe; and was in effect reduced to beggary.

SIR Richard Granville had thought himſelf ill uſed by the earl of Suffolk in a law-ſuit; and he was accuſed before the ſtar-chamber of having ſaid of that nobleman, that he was a baſe lord. The evidence againſt him was ſomewhat lame; yet, for this ſlight offence, inſufficiently proved, he was condemned to pay a fine of 8000 pounds; one half to the earl, the other to the king [n].

SIR George Markham, following a chace where lord Darcy's huntſman was exerciſing his hounds, kept cloſer to the dogs than was thought proper by the huntſman, who, beſides other rudeneſs, gave him foul language, which Sir George returned with a ſtroke of his whip. The fellow threatened to complain to his maſter: The knight replied, If his maſter ſhould juſtify ſuch inſolence, he would ſerve him in the ſame manner, or words to that effect. Sir George was ſummoned before the ſtar-chamber, and fined 10,000 pounds. *So fine a thing was it in thoſe days to be lord!* —A natural reflection of lord Lanſdown's, in relating this incident [o]. The people, in vindicating their liberties from the authority of the crown, threw off alſo the yoke of the nobility. It is proper to remark, that this laſt incident happened early in the reign of James. The preſent practice of the ſtar chamber was far from being an innovation; though the preſent diſpoſitions of the people made them repine more at this ſervitude.

CHARLES had imitated the example of Elizabeth and James, and had iſſued proclamations forbidding the landed gentlemen 1635.

[m] Life of Clarendon, vol i. p. 72. [n] Lord Lanſdown, p. 514. [o] Ibid. p. 515. This ſtory is told differently in Hobart's Reports, p. 120. It there appears that Markham was fined only 500 pounds, and very deſervedly: For he gave the lie and wrote a challenge to lord Darcy. James was anxious to diſcourage the practice of duelling, which was then very prevalent.

and the nobility to live idly in London, and ordering them to retire to their country-ſeats [p]. For diſobedience to this edict, many were indicted by the attorney-general, and were fined in the ſtar-chamber [q]. This occaſioned diſcontents; and the ſentences were complained of, as illegal. But if proclamations had authority, of which nobody pretended to doubt, muſt they not be put in execution? In no inſtance, I muſt confeſs, does it more evidently appear, what confuſed and uncertain ideas were, during that age, entertained concerning the Engliſh conſtitution.

RAY, having exported fullers-earth, contrary to the king's proclamation, was, beſides the pillory, condemned in the ſtar-chamber [r] to a fine of 2000 pounds [r]. Like fines were levied on Terry, Eman, and others, for diſobeying a proclamation which forbad the exportation of gold [s]. In order to account for the ſubſequent convulſions, even theſe incidents are not to be overlooked, as frivolous or contemptible. Such ſeverities were afterwards magnified into the greateſt enormities.

THERE remains a proclamation of this year, prohibiting hackney-coaches from ſtanding in the ſtreet [t]. We are told, that there were not above twenty coaches of that kind in London. There are, at preſent, near eight hundred.

1636. THE effects of ſhip-money began now to appear. A formidable fleet of ſixty ſail, the greateſt that England had ever known, was equipped under the earl of Northumberland, who had orders to attack the herring-buſſes of the Dutch which fiſhed in what were called the Britiſh ſeas. The Dutch were content to pay 30,000 pounds for a licence during this year. They openly denied, however, the claim of dominion in the ſeas, beyond the friths, bays, and ſhores; and it may be queſtioned whether the laws of nations warrant any farther pretenſions.

THIS year the king ſent a ſquadron againſt Sallee; and with the aſſiſtance of the emperor of Morocco, deſtroyed that receptacle of pirates, by whom the Engliſh commerce and even the Engliſh coaſts had long been infeſted.

1637. BURTON, a divine, and Baſtwick, a phyſician, were tried in the ſtar-chamber for ſeditious and ſchiſmatical libels, and were condemned to the ſame puniſhment that had been inflicted on Prynne. Prynne himſelf was tried for a new offence; and, together with another fine of 5000 pounds, was condemned to loſe what remained of his ears. Beſides, that theſe writers had attacked, with great ſeverity, and even an intemperate zeal, the ceremonies, rites, and government of the church; the

[p] Ruſhworth. vol. ii. p. 144. [q] Idem ibid. p. 288. [r] Idem, ibid. p. 348.
[s] Idem, ibid. p. 350. [t] Idem ibid. p. 316.

very anſwers which they gave in to the court, were ſo full of contumacy and of invectives againſt the prelates, that no lawyer could be prevailed on to ſign them [u]. The rigors, however, which they underwent, being ſo unworthy men of their profeſſion, gave general offence; and the patience, or rather alacrity, with which they ſuffered, encreaſed ſtill farther the indignation of the public [w]. The ſeverity of the ſtar-chamber, which was generally aſcribed to Laud's paſſionate diſpoſition, was, perhaps, in itſelf, ſomewhat blameable; but will naturally, to us, appear enormous, who enjoy, in the utmoſt latitute, that liberty of the preſs, which is eſteemed ſo neceſſary in every monarchy, confined by ſtrict, legal limitations. But as theſe limitations were not regularly fixed during the age of Charles, nor at any time before; ſo was this liberty totally unknown, and was generally deemed, as well as religious toleration, incompatible with all good government. No age or nation, among the moderns, had ever ſet an example of ſuch an indulgence: And it ſeems unreaſonable to judge of the meaſures, embraced during one period, by the maxims, which prevail in another.

BURTON, in his book where he complained of innovations, mentioned among others, that a certain Wedneſday had been appointed for a faſt, and that the faſt was ordered to be celebrated without any ſermons [x]. The intention, as he pretended, of that novelty was, by the example of a faſt without ſermons, to ſuppreſs all the Wedneſday's lectures in London. It is obſervable, that the church of Rome and that of England, being, both of them, lovers of form and ceremony and order, are more friends to prayer than preaching; while the puritanical ſectaries, who find that the latter method of addreſs, being directed to a numerous audience preſent and viſible, is more inflaming and animating, have always regarded it as the chief part of divine ſervice. Such circumſtances, though minute, it may not be improper to tranſmit to poſterity; that thoſe, who are curious of tracing the hiſtory of the human mind, may remark, how far its ſeveral ſingularities coincide in different ages.

CERTAIN zealots had erected themſelves into a ſociety for buying in of impropriations, and transferring them to the church; and great ſums of money had been bequeathed to the ſociety for theſe purpoſes. But it was ſoon obſerved, that the only uſe which they made of their funds, was, to eſtabliſh lecturers, in all the conſiderable churches; men who, without being ſubjected to epiſcopal authority, employed themſelves entirely in preaching and ſpreading the fire of puritaniſm. Laud took care, by a decree, which was paſſed in the court of exchequer, and which was much complained of,

[u] Ruſhworth, vol. ii. p. 381, 382, &c. State Trials, vol. v. p. 66. [w] State Trials, vol. v. p. 80. [x] Ibid. p. 76 Franklyn, p. 839.

to aboliſh this ſociety, and to ſtop their progreſs [y]. It was, however, ſtill obſerved, that, throughout England, the lecturers were all of them puritanically affected; and from them the clergymen, who contented themſelves with reading prayers and homilies to the people, commonly received the reproachful appellation of *dumb dogs*.

THE puritans, reſtrained in England, ſhipped themſelves off for America, and laid there the foundations of a government, which poſſeſſed all the liberty, both civil and religious, of which they found themſelves bereaved in their native country. But their enemies, unwilling that they ſhould any where enjoy eaſe and contentment, and dreading, perhaps, the dangerous conſequences of ſo diſaffected a colony, prevailed on the king to iſſue a proclamation, debarring theſe devotees acceſs even into thoſe inhoſpitable deſerts [x]. Eight ſhips, lying in the Thames, and ready to ſail, were detained by order of the council; and in theſe were embarked Sir Arthur Hazelrig, John Hambden, John Pym, and Oliver Cromwell [y], who had reſolved for ever to abandon their native country, and fly to the other extremity of the globe; where they might enjoy lectures and diſcourſes of any length or form which pleaſed them. The king had afterwards full leiſure to repent this exerciſe of his authority.

THE biſhop of Norwich, by rigorouſly inſiſting on uniformity, had baniſhed many induſtrious tradeſman from that city, and chaced them into Holland [z]. The Dutch began to be more intent on commerce than on orthodoxy; and thought, that the knowledge of uſeful arts and obedience to the laws formed a good citizen; though attended with errors in ſubjects, where it is not allowable for human nature to expect any poſitive truth or certainty.

COMPLAINTS about this time were made, that the petition of right was, in ſome inſtances, violated, and that, upon a commitment by the king and council, bail or releaſement had been refuſed to Jennings, Pargiter, and Danvers [a].

WILLIAMS, biſhop of Lincoln, a man of ſpirit and learning, a popular prelate, and who had been lord-keeper, was fined 10,000 pounds by the ſtar-chamber, committed to the Tower during the king's pleaſure and ſuſ-

[y] Ruſhworth, vol. ii. p. 150, 151. Whitlocke, p. 15. Hiſtory of the life and ſufferings of Laud, p. 211, 212. [x] Ruſh. vol. ii. p. 409.

[y] Mather's Hiſtory of New England, book, i. Dugdale. Bates. Hutchinſon's Hiſt. of Maſſachuſet's Bay, vol. i. p. 42. This laſt quoted author puts the fact beyond controverſy. And it is a curious fact, as well with regard to the characters of the men, as of the times. Can any one doubt, that the enſuing quarrel was almoſt entirely theological not political? What might be expected of the populace when ſuch was the character of the moſt enlightened leaders.

[z] May, p. 82. [a] Ruſh. vol. ii. p. 414.

pended from his office. This ſevere ſentence was founded on frivolous pretences, and was more aſcribed to Laud's vengeance, than to any guilt of the biſhop [b]. Laud, however, had owed his firſt promotion to the good offices of that prelate with king James. But ſo implacable was the haughty primate, that he raiſed up a new proſecution againſt Williams, on the ſtrangeſt pretence imaginable. In order to levy the fine above mentioned, ſome officers had been ſent to ſeize all the furniture and books of his epiſcopal palace of Lincoln; and in rummaging the houſe, they found in a corner ſome neglected letters, which had been thrown bye as uſeleſs. Theſe letters were written by one Oſbaldiſtone, a ſchoolmaſter, and were directed to Williams. Mention was there made of a *little great man*; and in another paſſage the ſame perſon was denominated *a little urchin*. By inferences and conſtructions, theſe epithets were applied to Laud; and on no better foundation was Williams tried anew, as having received ſcandalous letters, and not diſcovering that private correſpondence. For this offence, another fine of 8000 pounds was levied on him: Oſbaldiſtone was likewiſe brought to trial, and condemned to pay a fine of 5000 pounds, and to have his ears nailed to the pillory before his own ſchool. He ſaved himſelf by flight; and left a note in his ſtudy, wherein he ſaid, "That he was gone beyond Canterbury [c]."

THESE proſecutions of Williams ſeem to have been the moſt iniquitous meaſure, purſued by the court during the time that the uſe of parliaments was ſuſpended. Williams had been indebted for all his fortune to the favour of James; but having quarrelled, firſt with Buckingham, then with Laud, he threw himſelf into the country party; and with great firmneſs and vigour oppoſed all the meaſures of the king. A creature of the court to become its obſtinate enemy, a biſhop to countenance puritans; theſe circumſtances excited indignation, and engaged the miniſters in thoſe ſevere meaſures. Not to mention, what ſome writers relate, that before the ſentence was pronounced againſt him, Williams was offered a pardon upon his ſubmiſſion, which he refuſed to make. The court was apt to think, that ſo refractory a ſpirit muſt by any expedient be broken and ſubdued.

IN a former trial, which Williams underwent [d] (for theſe were not the firſt) there was mentioned, in court, a ſtory, which as it diſcovers the genius of parties, may be worth relating. Sir John Lambe urging him to proſecute the puritans, the prelate aſked, what ſort of people theſe ſame puritans were? Sir John replied, "that to the world they ſeemed to be "ſuch as would not ſwear, whore, or be drunk: but they would lie, "cozen, and deceive: That they would frequently hear two ſermons a-"day, and repeat them too, and that ſometimes they would faſt all day "long." This character muſt be conceived to be ſatirical: yet, it may

[b] Ruſhworth, vol. ii. p. 416, &c. [c] Ibid. p. 803, &c. Whitlocke, p. 25.
[d] Ruſh. vol. ii. p. 416

be allowed, that that ſect, was more averſe to ſuch irregularities as proceed from exceſs of gaiety and pleaſure, than to thoſe enormities, which are the moſt deſtructive of ſociety. The former were oppoſite to the very genius and ſpirit of their religion: the latter were only a tranſgreſſion of its precepts: And it was not difficult for a gloomy enthuſiaſt to convince himſelf, that a ſtrict obſervance of the one would atone for any violation of the other.

IN 1632, the treaſurer, Portland, had inſiſted with the vintners, that they ſhould ſubmit to a tax of a penny a quart, upon all the wine, which they retailed. But they rejected the demand. In order to puniſh them, a decree, ſuddenly, without much enquiry or examination, paſſed in the ſtar-chamber, prohibiting them to dreſs victuals in their houſes [c]. Two years after, they were queſtioned for the breach of this decree; and in order to avoid puniſhment, they agreed to lend the king ſix thouſand pounds. Being threatened, during the ſubſequent years, with fines and proſecutions, they at laſt compounded the matter, and ſubmitted to pay half of that duty, which was at firſt demanded of them [f]. It required little foreſight to perceive, that the king's right of iſſuing proclamations muſt, if proſecuted, draw on a power of taxation.

LILBURNE was accuſed before the ſtar-chamber, of publiſhing and diſperſing ſeditious pamphlets. He was ordered to be examined: but refuſed to take the oath, uſual in that court, that he would anſwer interrogatories, even though they might lead him to accuſe himſelf. For this contempt, as it was interpreted, he was condemned to be whipped, pilloried, and impriſoned. While he was whipped at the cart, and ſtood on the pillory, he harangued the populace, and declaimed violently againſt the tyranny of biſhops. From his pockets alſo he ſcattered pamphlets, ſaid to be ſeditious; becauſe they attacked the hierarchy. The ſtar-chamber, which was ſitting at that very time, ordered him immediately to be gagged. He ceaſed not however, though both gagged and pilloried, to ſtamp with his foot and geſticulate, in order to ſhew the people that if he had it in his power, he would ſtill harangue them. This behaviour gave freſh provocation to the ſtar-chamber; and they condemned him to be impriſoned in a dungeon, and to be loaded with irons [g]. It was found difficult to break the ſpirits of men, who placed both their honour and conſcience in ſuffering.

THE jealouſy of the church appeared in another inſtance leſs tragical. Archy, the king's fool, who, by his office, had the privilege of jeſting on his maſter, and the whole court, happened unluckily to try his wit upon

[d] Ibid. vol. ii. p. 416. [e] Ruſh. vol. ii. p. 197. [f] Idem. ibid. p. 451.
[g] Ibid. p. 465, 466, 467.

Laud, who was too ſacred a perſon to be played upon. News being arrived from Scotland of the firſt commotions excited by the liturgy, Archy, ſeeing the primate paſs by, called to him, *Who's fool now, my lord?* For this offence Archy was ordered, by ſentence of the council, to have his coat pulled over his head, and to be diſmiſſed the king's ſervice [h].

HERE is another inſtance of that rigorous ſubjection, in which all men were held by Laud. Some young gentlemen of Lincoln's inn, heated by their cups, having drunk confuſion to the archbiſhop, were at his inſtigation cited before the ſtar-chamber. They applied to the earl of Dorſet for protection. *Who bears witneſs againſt you*, ſaid Dorſet, *One of the drawers*, they ſaid. *Where did he ſtand, when you were ſuppoſed to drink this health?* ſubjoined the earl. *He was at the door*, they replied, *going out of the room. Tuſh!* cried he, *the drawer was miſtaken: You drank confuſion to the archbiſhop of Canterbury's enemies; and the fellow was gone before you pronounced the laſt word.* This hint ſupplied the young gentlemen with a new method of defence: And being adviſed by Dorſet to behave with great humility and great ſubmiſſion to the primate; the modeſty of their carriage, the ingenuity of their apology, with the patronage of that noble lord, ſaved them from any ſeverer puniſhment than a reproof and admonition with which they were diſmiſſed [i].

1637. Trial of Hambden.

THIS year, John Hambden acquired, by his ſpirit and courage, univerſal popularity throughout the nation, and has merited great renown with poſterity, for the bold ſtand which he made, in defence of the laws and liberties of his country. After the impoſing of ſhip-money, Charles, in order to diſcourage all oppoſition, had propoſed this queſtion to the judges; "Whether, in a caſe of neceſſity, "for the defence of the kingdom, he might not impoſe this taxation; "and whether he were not ſole judge of the neceſſity?" Theſe guardians of law and liberty replied, with great complaiſance, "That in a caſe "of neceſſity he might impoſe that taxation, and that he was ſole judge "of the neceſſity [k]." Hambden had been rated at twenty ſhillings for an eſtate, which he poſſeſſed in the county of Buckingham: Yet notwithſtanding this declared opinion of the judges, notwithſtanding the great power, and ſometimes rigorous maxims of the crown, notwithſtanding the ſmall proſpect of relief from parliament; he reſolved, rather than tamely ſubmit to ſo illegal an impoſition, to ſtand a legal proſecution, and expoſe himſelf to all the indignation of the court. The caſe was argued during twelve days, in the exchequer-chamber, before all the judges of England; and the nation regarded, with the utmoſt anxiety, every circumſtance of this celebrated trial. The event was eaſily foreſeen: But the principles,

[h] Ruſh. vol. ii. p. 470. Welwood, p. 278.
[i] Ruſh. vol. iii. p. 180.
[k] Ruſh. vol. ii. p. 355. Whitlocke, p. 24.

and reaſonings, and behaviour of the parties, engaged in the trial, were much canvaſſed and enquired into; and nothing could equal the favour paid to the one ſide, except the hatred which attended the other.

IT was urged by Hambden's council, and by his partizans in the nation, that the plea of neceſſity was in vain introduced into a trial of law; ſince it was the nature of neceſſity to aboliſh all law, and, by irreſiſtible violence, to diſolve all the weaker and more artificial ties of human ſociety. Not only the prince, in caſes of extreme diſtreſs, is exempted from the ordinary rules of adminiſtration: All orders of men are then levelled; and any individual may conſult the public ſafety by any expedient, which his ſituation enables him to employ. But to produce ſo violent an effect, and ſo hazardous to every community, an ordinary danger or difficulty is not ſufficient; much leſs, a neceſſity, which is merely factitious and pretended. Where the peril is urgent and extreme, it will be palpable to every member of ſociety; and though all ancient rules of government are in that caſe abrogated, men will readily, of themſelves, ſubmit to that irregular authority, which is exerted for their preſervation. But what is there in common between ſuch ſuppoſitions, and the preſent condition of the nation? England enjoys a profound peace with all her neighbours: And what is more, all her neighbours are engaged in furious and bloody wars among themſelves, and by their mutual enmities farther enſure her tranquillity. The very writs themſelves, which are iſſued for the levying of ſhip-money, contradict the ſuppoſition of neceſſity, and pretend only that the ſeas are infeſted with pirates; a ſlight and temporary inconvenience, which may well await a legal ſupply from parliament. The writs likewiſe allow ſeveral months for equipping ſhips; which proves a very calm and deliberate ſpecies of neceſſity, and one that admits of delay much beyond the forty days requiſite for ſummoning that aſſembly. It is ſtrange too, that an extreme neceſſity which is always apparent, and uſually comes to a ſudden criſis, ſhould now have continued, without interruption, for near four years, and ſhould have remained, during ſo long a time, inviſible to the whole kingdom. And as to the pretenſion, that the king is ſole judge of the neceſſity; what is this but to ſubject all the privileges of the nation to his arbitrary will and pleaſure? To expect that the public will be convinced by ſuch reaſoning, muſt aggravate the general indignation; by adding, to violence againſt men's perſons and their property, ſo cruel a mockery of their underſtanding.

IN vain are precedents of ancient writs produced: Theſe writs, when examined, are only found to require the ſea-ports, ſometimes at their own charge, ſometimes at the charge of the counties, to ſend their ſhips for the defence of the nation. Even the prerogative, which empowered the crown to iſſue ſuch writs, is aboliſhed, and its exerciſe almoſt entirely diſ-

continued, from the time of Edward III.[1]; and all the authority, which remained, or was afterwards exerciſed was to preſs ſhips into the public ſervice, to be paid for by the public. How wide are theſe precedents from a power of obliging the people, at their own charge, to build new ſhips, to victual and pay them, for the public; nay, to furniſh money to the crown for that purpoſe? What ſecurity either againſt the farther extenſion of this claim, or againſt diverting to other purpoſes the public money, ſo levied? The plea of neceſſity would warrant any other taxation as well as that of ſhip-money: Wherever any difficulty ſhall occur, the adminiſtration, inſtead of endeavouring to elude or overcome it, by gentle and prudent meaſures, will inſtantly repreſent it as a reaſon for infringing all ancient laws and inſtitutions: And if ſuch maxims and ſuch parties prevail; what has become of national liberty? What authority is left to the great charter, to the ſtatutes, and to that very petition of right, which, in the preſent reign, had been ſo ſolemnly enacted by the concurrence of the whole legiſlature?

THE defenceleſs condition of the kingdom while unprovided with a navy; the inability of the king, from his eſtabliſhed revenues, with the utmoſt care and frugality, to equip and maintain one; the impoſſibility of obtaining, on reaſonable terms, any voluntary ſupply from parliament: All theſe are reaſons of ſtate, not topics of law. If theſe reaſons appear to the king ſo urgent as to diſpenſe with the legal rules of government; let him enforce his edicts, by his court of ſtar-chamber, the proper inſtrument of irregular and abſolute power; not proſtitute the character of his judges by a decree, which is not, and cannot poſſibly be legal. By this means the boundaries, at leaſt, will be kept more diſtinct between ordinary law and extraordinary exertions of prerogative; and men will know, that the national conſtitution is only ſuſpended during a preſent and difficult emergence, but has not undergone a total and fundamental alteration.

NOTWITHSTANDING theſe reaſons, the prejudiced judges, four[m] excepted, gave ſentence in favour of the crown. Hambden, however, obtained by the trial the end for which he had ſo generouſly ſacrificed his ſafety and his quiet: The people were rouzed from their lethargy, and became ſenſible of the danger, to which their liberties were expoſed. Theſe national queſtions were canvaſſed in every company; and the more they were examined, the more evidently did it appear to many, that liberty was totally ſubverted, and an unuſual and arbitrary authority exerciſed over the kingdom. Slaviſh principles, they ſaid concur with illegal practices; eccleſiaſtical tyranny gives aid to civil uſurpation; iniquitous taxes are

[1] State Trials, vol. v. p. 245. 255.

[m] See State Trials: Article ſhip money, which contains the ſpeeches of four judges in favour of Hambden.

ſupported by arbitrary puniſhments; and all the privileges of the nation, tranſmitted through ſo many ages, ſecured by ſo many laws, and purchaſed by the blood of ſo many heroes and patriots, now lye proſtrate at the feet of the monarch. What though public peace and national induſtry encreaſed the commerce and opulence of the kingdom? This advantage was temporary, and due alone, not to any encouragement given by the crown, but to the ſpirit of the Engliſh, the remains of their ancient freedom. What though the perſonal character of the king, amidſt all his miſguided counſels, might merit indulgence, or even praiſe? He was but one man; and the privileges of the people, the inheritance of millions, were too valuable to be ſacrificed to his prejudices and miſtakes. Such, or more ſevere, were the ſentiments promoted by a great party in the nation: No excuſe on the king's part, or alleviation, how reaſonable ſoever, could be hearkened to or admitted: And to redreſs theſe grievances, a parliament was impatiently longed for; or any other incident, however calamitous, that might ſecure the people againſt thoſe oppreſſions, which they felt, or the greater ills which they apprehended, from the combined encroachments of church and ſtate.

CHAP. LIII.

Diſcontents in Scotland—Introduction of the canons and liturgy—A tumult at Edinburgh—The covenant—A general aſſembly—Epiſcopacy aboliſhed—War—A pacification—Renewal of the war—Fourth Engliſh parliament—Diſſolution—Diſcontents in England—Rout at Newburn—Treaty at Rippon—Great council of the peers.

THE grievances, under which the Engliſh laboured, when conſidered in themſelves, without regard to the conſtitution, ſcarcely deſerve the name; nor were they either burthenſome on the people's properties, or any wiſe ſhocking to the natural humanity of mankind. Even the impoſition of ſhip-money, independent of the conſequences, was a great and evident advantage to the public; by the judicious uſe, which the king made of the money levied by that expedient. And though it was juſtly apprehended, that ſuch precedents, if patiently ſubmitted to, would end in a total diſuſe of parliaments, and in the eſtabliſhment of arbitrary authority; Charles dreaded no oppoſition from the people, who are not commonly much affected with conſequences, and require ſome ſtriking motive, to engage them in a reſiſtance of eſtabliſhed government. All eccleſiaſtical affairs were ſettled by law, and uninterrupted precedent; and the church was become a conſiderable barrier to the power, both legal and

illegal, of the crown. Peace too, induſtry, commerce, opulence; nay, even juſtice and lenity of adminiſtration, notwithſtanding ſome very few exceptions: All theſe were enjoyed by the people; and every other bleſſing of government, except liberty, or rather the preſent exerciſe of liberty, and its proper ſecurity [o]. It ſeemed probable, therefore, that affairs might long have continued on the ſame footing in England, had it not been for the neighbourhood of Scotland; a country more turbulent, and leſs diſpoſed to ſubmiſſion and obedience. It was thence the commotions firſt aroſe; and it is therefore time for us to return thither, and to give an account of the ſtate of affairs in that kingdom.

1637. Diſcontents in Scotland

THOUGH the pacific and not unſkilful government of James, and the great authority which he had acquired, had much allayed the feuds among the great families, and had eſtabliſhed law and order throughout the kingdom; the Scottiſh nobility, were ſtill poſſeſſed of the chief power and influence over the people. Their property was extenſive; their hereditary juriſdictions and the feudal tenures encreaſed their authority; and the attachment of the gentry to the heads of families eſtabliſhed a kind of voluntary ſervitude under the chieftains. Beſides that long abſence had much looſened the king's connections with the nobility who reſided chiefly at their country ſeats; they were, in general, at this time, though from ſlight cauſes, much diſguſted with the court. Charles, from the natural piety or ſuperſtition of his temper, was extremely attached to the eccleſiaſtics: And as it is natural for men to perſuade themſelves, that their intereſt coincides with their inclination; he had eſtabliſhed it as a fixed maxim of policy, to encreaſe the power and authority of that order. The prelates, he thought, eſtabliſhed regularity and diſcipline among the clergy; the clergy inculcated obedience and loyalty among the people: And as that rank of men had no ſeparate authority, and no dependence but on the crown; the royal power, it would ſeem, might, with the greater ſafety, be entruſted in their hands. Many of the prelates, therefore, were raiſed to the chief dignities of the ſtate [p]; Spotſwood, archbiſhop of St. Andrews, was created chancellor: Nine of the biſhops were privy counſellors: The biſhop of Roſs aſpired to the office of treaſurer: Some of the prelates poſſeſſed places in the exchequer: And it was even endeavoured to revive the firſt inſtitution of the college of juſtice, and to ſhare equally between the clergy and laity the whole judicial authority [q]. Theſe advantages, poſſeſſed by the church, and which the biſhops did not always enjoy with ſuitable modeſty, diſguſted the haughty nobility, who, deeming themſelves much ſuperior in rank and quality to that new order of men, were diſpleaſed to find themſelves inferior in power

[o] Clarendon, p. 74, 75. May, p. 18. Warwick, p. 62. [p] Ruſhworth, vol. ii. p. 286. May, p. 29. [q] Guthry's Memoirs, p. 14. Burnet's Mem. p. 29, 30.

and influence. Intereſt joined itſelf to ambition; and begat a jealouſy, leſt the epiſcopal ſees, which, at the reformation, had been pillaged by the nobles, ſhould again be enriched at the expence of that order. By a moſt uſeful and beneficial law, the impropriations had already been raviſhed from the great men: Competent ſalaries had been aſſigned to the impoveriſhed clergy from the tythes of each pariſh: And what remained, the proprietor of the land was impowered to purchaſe at a low valuation [r]. The king likewiſe, warranted by ancient law and practice, had declared for a general reſumption of all crown-lands, alienated by his predeceſſors; and though he took no ſtep towards the execution of this project, the very pretenſion to ſuch power had excited jealouſy and diſcontent [s].

NOTWITHSTANDING the tender regard which Charles bore to the whole church, he had been able in Scotland, to acquire only the affection of the ſuperior rank among the clergy. The miniſters in general equalled, if not exceeded the nobility, in their prejudices againſt the court, againſt the prelates, and againſt epiſcopal authority [t]. Though the eſtabliſhment of the hierarchy might ſeem advantageous to the inferior clergy, both as it erected dignities, to which all of them might aſpire, and as it beſtowed a luſtre on the whole body, and allured men of family into it; theſe views had no influence on the Scottiſh eccleſiaſtics. In the preſent diſpoſition of men's minds, there was another circumſtance, which drew conſideration, and counterbalanced power and riches, the uſual foundations of diſtinction among men; and that was, the fervour of piety, and the rhetoric, however barbarous of religious lectures and diſcourſes. Checked by the prelates in the licence of preaching, the clergy regarded epiſcopal juriſdiction both as a tyranny and an uſurpation, and maintained a parity among eccleſiaſtics to be a divine privilege, which no human law could alter or infringe. While ſuch ideas prevailed, the moſt moderate exerciſe of authority would have given diſguſt; much more, that extenſive power, which the king's indulgence encouraged the prelates to aſſume. The juriſdiction of preſbyteries, ſynods, and other democratical courts, was, in a manner, aboliſhed by the biſhops; and the general aſſembly itſelf had not been ſummoned for ſeveral years [u]. A new oath was arbitrarily impoſed on intrants, by which they ſwore to obſerve the articles of Perth, and ſubmit to the liturgy and canons. And in a word, the whole ſyſtem of church government, during a courſe of thirty years, had been changed by means of the innovations, introduced by James and Charles.

THE people, under the influence of the nobility and clergy, couldnot fail topartake of the diſcontents, which prevailed among theſe two orders; and where real grounds of complaint were wanting, they greedily laid hold of

r King's Declaration, p. 7. Franklyn, p. 611.
s King's Declaration, p. 6.
t Burnet, Mem. p. 29. 30.
u May, p. 29.

imaginary ones. The ſame horror againſt popery, with which the Engliſh puritans were poſſeſſed, was obſervable among the populace in Scotland: and among theſe, as being more uncultivated and uncivilized, ſeemed rather to be inflamed into a higher degree of ferocity. The genius of religion, which prevailed in the court and among the prelates, was of an oppoſite nature; and having ſome affinity to the Romiſh worſhip, led them to mollify, as much as poſſible, the ſevere prejudices, and to ſpeak of the catholics in more charitable language, and with more reconciling expreſſions. From this foundation, a panic fear of popery was eaſily raiſed: and every new ceremony or ornament, introduced into divine ſervice, was part of that great myſtery of iniquity, which, from the encouragement of the king and the biſhops, was to overſpread the nation [w]. The few innovations, which James had made, were conſidered as preparatives to this grand deſign; and the farther alterations, attempted by Charles, were repreſented as a plain declaration of his intentions. Through the whole courſe of this reign, nothing had more fatal influence, in both kingdoms, than this groundleſs apprehenſion, which, with ſo much induſtry was propagated, and with ſo much credulity was embraced, by all ranks of men.

AMIDST theſe dangerous complaints and terrors of religious innovation, the civil and eccleſiaſtical liberties of the nation were imagined, and with ſome reaſon, not to be altogether free from invaſion.

THE eſtabliſhment of the high commiſſion by James, without any authority of law, ſeemed a conſiderable encroachment of the crown; and erected the moſt dangerous and arbitrary of all courts, by a method equally dangerous and arbitrary. All the ſteps towards the ſettlement of epiſcopacy had indeed been taken with conſent of parliament: The articles of Perth were confirmed in 1621: In 1633, the king had obtained a general ratification of every eccleſiaſtical eſtabliſhment: But theſe laws had leſs authority with the nation, as they were known to have paſſed contrary to the ſentiments even of thoſe who voted for them, and were in reality extorted by the authority and importunity of the ſovereign. The means, however, which both James and Charles had employed, in order to influence the parliament, were entirely regular; and no reaſonable pretence had been afforded for repreſenting theſe laws as null or invalid.

BUT there prevailed among the greater part of the nation another principle, of the moſt important and moſt dangerous nature, and which, if admitted, deſtroyed entirely the validity of all ſuch ſtatutes. The eccleſiaſtical authority was ſuppoſed totally independent of the civil; and no act of parliament, nothing but the conſent of the church itſelf, was repreſented as ſufficient ground for the introduction of any change in religious wor-

[w] Burnet's Mem. p. 29, 30, 31.

ſhip or diſcipline. And though James had obtained the vote of aſſemblies for receiving epiſcopacy and his new rites; it muſt be confeſſed, that ſuch irregularities had prevailed in conſtituting theſe eccleſiaſtical courts, and ſuch violence in conducting them, that there were ſome grounds for denying the authority of all their acts. Charles, ſenſible that an extorted conſent, attended with ſuch invidious circumſtances would rather be prejudicial to his meaſures, had wholly laid aſide the uſe of aſſemblies, and was reſolved, in conjunction with the biſhops, to govern the church by an authority, to which he thought himſelf fully intitled, and which he believed inherent in the crown.

THE king's great aim was to complete the work, ſo happily begun by his father; to eſtabliſh diſcipline upon a regular ſyſtem of canons, to introduce a liturgy into public worſhip, and to render the eccleſiaſtical government of all his kingdoms regular and uniform. Some views of policy might move him to this undertaking: But his chief motives were derived from principles of zeal and conſcience.

1637. Introduction of the canons and liturgy.

THE canons for eſtabliſhing eccleſiaſtical juriſdiction were promulgated in 1635; and were received by the nation though without much appearing oppoſition, yet with great inward apprehenſion and diſcontent. Men felt diſpleaſure at ſeeing the royal authority highly exalted by them, and repreſented as abſolute and uncontroulable. They ſaw theſe ſpeculative principles reduced to practice, and a whole body of eccleſiaſtical laws eſtabliſhed without any previous conſent either of church or ſtate [x]. They dreaded leſt, by a parity of reaſon, like arbitrary authority, from like pretences and principles, would be aſſumed in civil matters: They remarked, that the delicate boundaries, which ſeparate church and ſtate, were already paſſed, and many civil ordinances eſtabliſhed by the canons, under colour of eccleſiaſtical inſtitutions: And they were apt to deride the negligence, with which theſe important edicts had been compiled; when they found, that the new liturgy or ſervice-book was every where, under ſevere penalties, enjoined by them, though it had not yet been compoſed or publiſhed [y]. It was, however, ſoon expected; and in the reception of it, as the people are always moſt affected by what is external and expoſed to the ſenſes, it was apprehended, that the chief difficulty would conſiſt.

THE liturgy, which the king, from his own authority, impoſed on Scotland, was copied from that of England: But leſt a ſervile imitation might ſhock the pride of his ancient kingdom, a few alterations, in order to ſave appearances, were made in it; and in that ſhape it was tranſmitted to the biſhops at Edinburgh [z]. But the Scots had univerſally entertained a no-

[x] Clarendon, vol. i p. 106. [y] Idem, ibid. p. 105. [z] King's Decl. p. 18. May, p. 32.

tion, that, though riches and worldly glory had been ſhared out to them with a ſparing hand, they could boaſt of ſpiritual treaſures more abundant and more genuine, than were enjoyed by any nation under heaven. Even their ſouthern neighbours, they thought, though ſeparated from Rome, ſtill retained a great tincture of the primitive pollution; and their liturgy was repreſented as a ſpecies of maſs, though with ſome leſs ſhow and embroidery [a]. Great prejudices, therefore, were entertained againſt it, even conſidered in itſelf; much more when regarded as a preparative, which was ſoon to introduce into Scotland all the abominations of popery. And as the very few alterations, which diſtinguiſhed the new liturgy from the Engliſh, ſeemed to approach nearer to the doctrine of the real preſence; this circumſtance was deemed an undoubted confirmation of every ſuſpicion, with which the people were poſſeſſed [b].

EASTER-DAY was, by proclamation, appointed for the firſt reading of the ſervice in Edinburgh: But in order to judge more ſurely of men's diſpoſitions, the council delayed the matter till the 23d of July; and they even gave notice, the Sunday before, of their intention to commence the uſe of the new liturgy. As no conſiderable ſymptoms of diſcontent appeared, they thought that they might ſafely proceed in their purpoſe [c]; and accordingly, in the cathedral church of St. Giles, the dean of Edinburgh, arrayed in his ſurplice, began the ſervice; the biſhop himſelf and many of the privy-council being preſent. But no ſooner had the dean opened the book, than a multitude of the meaneſt ſort, moſt of them women, clapping their hands, curſing, and crying out, *A pope! a pope! antichriſt! ſtone him!* raiſed ſuch a tumult, that it was impoſſible to proceed with the ſervice. The biſhop, mounting the pulpit, in order to appeaſe the populace, had a ſtool thrown at him: The council was inſulted: And it was with difficulty that the magiſtrates were able, partly by authority, partly by force, to expel the rabble, and to ſhut the doors againſt them. The tumult, however, ſtill continued without: Stones were thrown at the doors and windows: And when the ſervice was ended, the biſhop, going home, was attacked, and narrowly eſcaped from the hands of the enraged multitude. In the afternoon, the privy-ſeal, becauſe he carried the biſhop in his coach, was ſo pelted with ſtones, and hooted at with execrations, and preſſed upon by the eager populace, that, if, his ſervants, with drawn ſwords, had not kept them off, the biſhop's life had been expoſed to the utmoſt danger [d].

1637. Tumult at Edinburgh.

THOUGH it was violently ſuſpected, that the low populace, who alone appeared, had been inſtigated by ſome of higher condition, yet no proof

[a] King's Decl. p. 20. [b] Burnet's Mem. p. 32. Ruſhworth, vol. ii. p. 396. May, p. 31. [c] King's Decl. p. 22. Clarendon. vol. i. p. 108. Ruſhworth, vol. ii. p. 387. [d] King's Decl. p. 23, 24, 25. Ruſhworth, vol. ii. p. 388.

of it could be produced; and every one ſpake with diſapprobation of the licentiouſneſs of the giddy multitude [e]. It was not thought ſafe, however, to hazard a new inſult by any new attempt to read the liturgy; and the people ſeemed, for the time, to be appeaſed and ſatisfied. But it being known, that the king ſtill perſevered in his intentions of impoſing that mode of worſhip, men fortified themſelves ſtill farther in their prejudices againſt it; and great multitudes reſorted to Edinburgh, in order to oppoſe the introduction of ſo hated a novelty [f]. It was not long before they broke out in the moſt violent diſorder. The biſhop of Galloway was attacked in the ſtreets, and chaſed into the chamber, where the privy-council was ſitting. The council itſelf was beſieged and violently attacked: The town council met with the ſame fate: And nothing could have ſaved the lives of all of them, but their application to ſome popular lords, who protected them, and diſperſed the multitude. In this ſedition, the actors were of ſome better condition than in the former; though nobody of rank ſeemed, as yet, to countenance them [g].

ALL men, however, began to unite and to encourage each other, in oppoſition to the religious innovations introduced into the kingdom. Petitions to the council were ſigned and preſented by perſons of the higheſt quality: The women took part, and, as was uſual, with violence: The clergy, every where, loudly declaimed againſt popery and the liturgy, which they repreſented as the ſame: The pulpits reſounded with vehement invectives againſt antichriſt: And the populace, who firſt oppoſed the ſervice, was often compared to Balaam's aſs, an animal, in itſelf, ſtupid and ſenſeleſs, but whoſe mouth had been opened by the Lord, to the admiration of the whole world [h]. In ſhort, fanaticiſm mingling with faction, private intereſt with the ſpirit of liberty, ſymptoms appeared, on all hands, of the moſt dangerous inſurrection and diſorder.

THE primate, a man of wiſdom and prudence, who was all along averſe to the introduction of the liturgy, repreſented to the king the ſtate of the nation: The earl of Traquaire, the treaſurer, ſet out for London, in order to lay the matter more fully before him: Every circumſtance, whether the condition of England or of Scotland were conſidered, ſhould have engaged him to deſiſt from ſo hazardous an attempt: Yet was Charles inflexible. In his whole conduct of this affair, there appear no marks of the good ſenſe, with which he was endowed: A lively inſtance of that ſpecies of character, ſo frequently to be met with; where there are found parts and judgment in every diſcourſe and opinion; in many actions, indiſcretion and imprudence. Men's views of things are the reſult of their

[e] King's Decl. p. 26. 30. Clarendon, vol. i. p. 109. [f] King's Decl. p. 32. Ruſhworth, vol. ii. p. 400. [g] King's Decl. p. 35, 36, &c. Ruſhworth, vol. ii. p. 404. [h] King's Decl. p. 31.

understanding alone: Their conduct is regulated by their understanding, their temper, and their passions.

To so violent a combination of a whole kingdom, Charles had nothing to oppose but a proclamation; in which he pardoned all past offences, and exhorted the people to be more obedient for the future, and to submit peaceably to the use of the liturgy. This proclamation was instantly encountered with a public protestation, presented by the earl of Hume and lord Lindesey: And this was the first time that men of quality had appeared in any violent act of opposition [i]. But this proved a crisis. The insurrection, which had been advancing by a gradual and slow progress, now blazed up at once. No disorder, however, attended it. On the contrary, a new order immediately took place. Four *tables*, as they were called, were formed in Edinburgh. One consisted of nobility, another of gentry, a third of ministers a fourth of burgesses. The table of gentry was divided into many subordinate tables, according to their different counties. In the hands of the four tables, the whole authority of the kingdom was placed. Orders were issued by them, and every where obeyed, with the utmost regularity [k]. And among the first acts of their government was the production of the COVENANT. 1638, 19th. Feb.

THIS famous covenant consisted first of a renunciation of popery, formerly signed by James in his youth, and composed of many invectives, fitted to inflame the minds of men against their fellow-creatures, whom heaven has enjoined them to cherish and to love. There followed a bond of union, by which the subscribers obliged themselves to resist religious innovations, and to defend each other against all opposition whatsoever: And all this, for the greater glory of God, and the greater honour and advantage of their king and country [l]. The people, without distinction of rank or condition, of age or sex, flocked to the subscription of this covenant: Few, in their judgment, disapproved of it; and still fewer durst openly condemn it. The king's ministers and counsellors themselves were, most of them, seized by the general contagion. And none but rebels to God, and traitors to their country, it was thought, would withdraw themselves from so salutary and so pious a combination. The covenant.

THE treacherous, the cruel, the unrelenting Philip, accompanied with all the terrors of a Spanish inquisition, was scarcely, during the preceding century, opposed in the Low Countries with more determined fury, than was now, by the Scots, the mild, the humane Charles, attended with his inoffensive liturgy.

THE king began to apprehend the consequences. He sent the marquis of Hamilton, as commissioner, with authority to June.

[i] King's Decl. p. 47, 48, &c. Guthry, p. 28. May, p. 37. [k] Clarendon, vol. i. p. 111. Rushworth, vol. ii. p. 734. [l] King's Decl. p. 57, 58. Rushworth, vol. ii. p. 734. May, p. 38. [m] Rushworth, vol. ii. p. 754, &c.

treat with the covenanters. He required the covenant to be renounced and recalled: And he thought, that on his part he had made very satisfactory conceſſions, when he offered to ſuſpend the canons and the liturgy, till, in a fair and legal way, they could be received; and ſo to model the high commiſſion, that it ſhould no longer give offence to his ſubjects [m]. Such general declarations could not well give content to any, much leſs to thoſe who carried ſo much higher their pretenſions. The covenanters found themſelves ſeconded by the zeal of the whole nation. About ſixty thouſand people were aſſembled in a tumultuous manner in Edinburgh and the neighbourhood. Charles poſſeſſed no regular forces in either of his kingdoms. And the diſcontents in England, though ſecret, were believed ſo violent, that the king, it was thought, would find it very difficult to employ in ſuch a cauſe the power of that kingdom. The more, therefore, the popular leaders in Scotland conſidered their ſituation, the leſs apprehenſion did they entertain of royal power, and the more rigorouſly did they inſiſt on entire ſatisfaction. In anſwer to Hamilton's demand of renouncing the covenant, they plainly told him, that they would ſooner renounce their baptiſm [n]. And the clergy invited the commiſſioner himſelf to ſubſcribe it, by informing him, "With what peace and comfort it "had filled the hearts of all God's people; what reſolutions and begin"nings of reformation of manners were ſenſibly perceived in all parts of "the nation, above any meaſure they had even before found or could "have expected; how great glory the Lord had recived thereby; and "what confidence they had, that God would make Scotland a bleſſed "kingdom [o]."

HAMILTON returned to London: Made another fruitleſs journey, with new conceſſions, to Edinburgh: Returned again to London; and was immediately ſent back with ſtill more ſatisfactory conceſſions. The king was now willing entirely to aboliſh the canons, the liturgy and the high commiſſion court. He was even reſolved to limit extremely the power of the biſhops, and was content if, on any terms, he could retain that order in the church of Scotland [p]. And to e[n]dear theſe gracious offers, he gave Hamilton authority to ſummon firſt aſſembly, then a parliament, where every national grievance might be redreſſed and remedied. Theſe ſucceſſive conceſſions of the king, which yet came ſtill ſhort of the riſing demands of the malcontents, diſcovered his own weakneſs, encouraged their inſolence, and gave no ſatisfaction. The offer however, of an aſſembly and a parliament, in which they expected to be entirely maſters, was willingly embraced by the covenanters.

1638. 17th Sept.

[m] Ruſhworth, vol. ii. p. 754, &c. [n] King's Decl. p. 87. [o] Ibid. p. 88. Ruſhworth, vol. ii. p. 751. [p] King's Decl. p. 138. Ruſhworth, vol. ii. p. 762.

CHARLES, perceiving what advantage his enemies had reaped from their covenant, reſolved to have a covenant on his ſide; and he ordered one to be drawn for that purpoſe. It conſiſted of the ſame violent renunciation of popery above mentioned; which though the king did not approve of it, he thought it ſafeſt to adopt, in order to remove all the ſuſpicions entertained againſt him. As the covenanters, in their bond of mutual defence againſt all oppoſition, had been careful not to except the king; Charles had formed a bond, which was annexed to this renunciation, and which expreſſed the duty and loyalty of the ſubſcribers to his majeſty [q]. But the covenanters, perceiving that this new covenant was only meant to weaken and divide them, received it with the utmoſt ſcorn and deteſtation. And without delay they proceeded to model the future aſſembly, from which ſuch great atchievments were expected [r].

A general aſſembly.

THE genius of that religion, which prevailed in Scotland, and which, every day, was ſecretly gaining ground in England, was far from inculcating deference and ſubmiſſion to the eccleſiaſtic merely as ſuch: Or rather, by nouriſhing in every individual, the higheſt raptures and ecſtaſies of devotion, it conſecrated, in a manner, every individual, and in his own eyes, beſtowed a character on him, much ſuperior to what forms and ceremonious inſtitutions could alone confer. The clergy of Scotland, though ſuch tumult was excited about religious worſhip and diſcipline, were both poor, and in ſmall numbers; nor are they, in general, to be conſidered, at leaſt in the beginning, as the ringleaders of the ſedition, which was raiſed on their account. On the contrary, the laity, apprehending from ſeveral inſtances which occurred, a ſpirit of moderation in that order, reſolved to domineer entirely in that aſſembly, which was ſummoned, and to hurry on the eccleſiaſtics by the ſame furious zeal, with which they were themſelves tranſported [s].

IT had been uſual, before the eſtabliſhment of prelacy, for each preſbytery to ſend to the aſſembly, beſides two or three miniſters, one lay commiſſioner [t]; and as all the boroughs and univerſities ſent likewiſe commiſſioners, the lay-members, in that eccleſiaſtical court, nearly equalled the eccleſiaſtics. Not only this inſtitution, which James, apprehenſive of zeal in the laity, had aboliſhed, was now revived by the covenanters: They alſo introduced an innovation, which ſerved ſtill farther to reduce the clergy to ſubjection. By an edict of the tables, whoſe authority was ſupreme, an elder from each pariſh was ordered to attend the preſbytery,

[q] King's Decl. p. 140, &c. [r] Ruſhworth, vol. ii. p. 772. [s] King's Decl. p. 188, 189; Ruſhworth, vol. ii. p. 761.

[t] A preſbytery in Scotland is an inferior eccleſiaſtical court, the ſame that was afterwards called a Claſſis in England, and is compoſed of the clergy of the neighbouring pariſhes to the number commonly of between twelve and twenty.

and to give his vote in the choice both of the commiſſioners and miniſters, who ſhould be deputed to the aſſembly. As it is not uſual for the miniſters, who are put in the liſt of candidates, to claim a vote, all the elections, by that means, fell into the hands of the laity: The moſt furious of all ranks were choſen: And the more to overawe the clergy, a new device was fallen upon, of chuſing, to every commiſſioner, four or five lay-aſſeſſors, who, though they could have no vote, might yet interpoſe with their advice and authority in the aſſembly [u].

THE aſſembly met at Glaſgow: And beſides a great concourſe of people, all the nobility and gentry of any family or intereſt were preſent, either as members, aſſeſſors, or ſpectators; and it was apparent, that the reſolutions, taken by the covenanters, could here meet with no manner of oppoſition. A firm determination had been entered into of utterly aboliſhing epiſcopacy; and as a preparative to it, there was laid before the preſbytery of Edinburgh, and ſolemnly read in all the churches of the kingdom, an accuſation againſt the biſhops, as guilty, all of them, of hereſy, ſimony, bribery, perjury, cheating, inceſt, adultery, fornication, common ſwearing, drunkenneſs, gaming, breach of the Sabbath, and every other crime that had occurred to the accuſers [w]. The biſhops ſent a proteſt, declining the authority of that aſſembly; the commiſſioner too proteſted againſt that court, as illegally conſtituted and elected; and in his majeſty's name diſſolved it. This meaſure was foreſeen, and little regarded. The court ſtill continued to ſit, and to finiſh their buſineſs [x]. All the acts of aſſembly, ſince the acceſſion of James to the crown of England, were upon pretty reaſonable grounds, declared null and invalid. The acts of parliament, which affected eccleſiaſtical affairs, were ſuppoſed, on that very account, to have no manner of authority. And thus epiſcopacy. the high commiſſion, the articles of Perth, the canons and the liturgy, were aboliſhed and declared unlawful: And the whole fabric, which James and Charles, in a long courſe of years, had been rearing with ſo much care and policy, fell at once to the ground. The covenant likewiſe was ordered to be ſigned by every one under pain of excommunication [y].

1638. Epiſcopacy aboliſhed.

THE independency of the eccleſiaſtical upon the civil power was the old preſbyterian principle, which had been zealouſly adopted at the reformation, and which, though James and Charles had obliged the church publickly to diſclaim it, had ſecretly been adhered to by all ranks of people. It was commonly aſked, whether Chriſt or the king was ſuperior? And as the anſwer ſeemed obvious, it was inferred, that the aſſembly, being Chriſt's council, was ſuperior, in all ſpiritual matters, to the parliament,

[u] King's Decl. p. 190, 191. 290. Guthry, p. 39, &c. [w] King's Decl. p. 182. Ruſhworth, vol ii. p. 787. [x] May, p. 44. [y] King's Decl. p. 317.

which was only the king's. But as the covenanters were ſenſible, that this conſequence, though it ſeemed to them irrefragable, would not be aſſented to by the king; it became neceſſary to maintain their religious tenets by military force, and not truſt entirely to ſupernatural aſſiſtance, of which, however, they held themſelves well aſſured. They caſt their eyes on all ſides, abroad and at home, whence ever they could expect any aid or ſupport.

AFTER France and Holland had entered into a league againſt Spain, and framed a treaty of partition, by which they were to conquer and to divide between them the Low Country provinces, England was invited to preſerve a neutrality between the contending parties, while the French and Dutch ſhould attack the maritime towns of Flanders. But the king replied to d'Eſtrades, the French ambaſſador, who opened the propoſals, that he had a ſquadron ready, and would croſs the ſeas, if neceſſary, with an army of 15,000 men, in order to prevent theſe projected conqueſts [z]. This anſwer, which proves that Charles, though he expreſſed his mind with an imprudent candour, had, at laſt, acquired a juſt idea of national intereſt, irritated cardinal Richlieu; and in revenge, that politic and enterprizing miniſter carefully fomented the firſt commotions in Scotland, and ſecretly ſupplied the covenanters with money and arms, in order to encourage them in their oppoſition againſt their ſovereign.

BUT the chief reſource of the Scottiſh malcontents, was in themſelves, and in their own vigour and abilities. No regular eſtabliſhed commonwealth could take juſter meaſures, or execute them with greater promptitude, than did this tumultuous combination, inflamed with bigotry for religious trifles, and faction without a reaſonable object. The whole kingdom was, in a manner, engaged; and the men of greateſt abilities ſoon acquired the aſcendant, which their family intereſt enabled them to maintain. The earl of Argyle, though he long ſeemed to temporize, had, at laſt embraced the covenant; and he became the chief leader of that party: A man equally ſupple and inflexible, cautious and determined, and entirely qualified to make a figure during a factious and turbulent period. The earls of Rothes Caſſilis, Montroſe, Lothian, the lords Lindeſey, Loudon, Yeſter, Balmerino, diſtinguiſhed themſelves in that party. Many Scotch officers had acquired reputation in the German wars, particularly under Guſtavus; and theſe were invited over to aſſiſt their country in her preſent neceſſity. The command was entruſted to Leſley, a ſoldier of experience and abilities. Forces were regularly inliſted and diſciplined. Arms were commiſſioned and imported from foreign countries. A few caſtles, which belonged to the king, being unprovided with 1639. War.

[z] Mem. d'Eſtrades, vol. i.

victuals, ammunition, and garrisons, were soon seized. And the whole country, except a small part, where the marquis of Huntley still adhered to the king, being in the hands of the covenanters, was, in a very little time, put in a tolerable posture of defence [a].

THE fortifications of Leith were begun and carried on with great rapidity. Besides the inferior sort, and those who laboured for pay, incredible numbers of volunteers, even noblemen and gentlemen, put their hand to the work, and deemed the most abject employment to be dignified by the sanctity of the cause. Women too of rank and condition, forgetting the delicacy of their sex, and the decorum of their character, were intermingled with the lowest rabble; and carried on their shoulders the rubbish requisite for completing the fortifications [c].

WE must not omit another auxiliary of the covenanters, and no inconsiderable one; a prophetess, who was much followed and admired by all ranks of people. Her name was Michelson, a woman full of whimsies, partly hysterical, partly religious; and inflamed with a zealous concern for the ecclesiastical discipline of the presbyterians. She spoke at certain times only, and had often interruptions of days and weeks: But when she began to renew her ecstasies, warning of the happy event was conveyed over the whole country, thousands crowded about her house, and every word which she uttered was received with veneration, as the most sacred oracles. The covenant was her perpetual theme. The true, genuine covenant, she said, was ratified in heaven: The king's covenant was an invention of Satan: When she spoke of Christ, she usually gave him the name of the covenanting Jesus. Rollo, a popular preacher, and zealous covenanter, was her great favourite; and paid her, on his part, no less veneration. Being desired by the spectators to pray with her, and speak to her, he answered, "That he durst not, and that it would be ill manners "in him to speak, while his master, Christ, was speaking in her [d]."

CHARLES had agreed to reduce episcopal authority so much, that it would no longer have been of any service to support the crown; and this sacrifice of his own interests he was willing to make, in order to obtain public peace and tranquillity. But he could not consent entirely to abolish an order, which he thought as essential to the being of a Christian church, as his Scottish subjects deemed it incompatible with that sacred institution. This narrowness of mind, if we would be impartial, we must either blame or excuse equally on both sides; and thereby anticipate, by a little reflection, that judgment which time, by introducing new subjects of controversy, will undoubtedly render quite familiar to posterity.

[a] May, p. 49. [c] Guthry's Memoirs, p. 46. [d] King's Declaration at large, p. 227. Burnet's Memoirs of Hamilton.

So great was Charles's averſion to violent and ſanguinary meaſures, and ſo ſtrong his affection to his native kingdom, that, it is probable, the conteſt in his breaſt would be nearly equal between theſe laudable paſſions, and his attachment to the hierarchy. The latter affection, however, prevailed for the time, and made him haſten thoſe military preparations which he had projected for ſubduing the refractory ſpirit of the Scottiſh nation. By regular œconomy, he had not only paid all the debts contracted during the Spaniſh and French wars, but had amaſſed a ſum of two hundred thouſand pounds which he reſerved for any ſudden exigency. The queen had great intereſt with the catholics, both from the ſympathy of religion, and from the favours and indulgencies which ſhe had been able to procure to them. She now employed her credit, and perſuaded them, that it was reaſonable to give large contributions, as a mark of their duty to the king, during this urgent neceſſity [e]. A conſiderable ſupply was obtained by this means; to the great ſcandal of the puritans, who were offended at ſeeing the king on ſuch good terms with the papiſts, and repined, that others ſhould give what they themſelves were diſpoſed to refuſe him.

CHARLES's fleet was formidable and well ſupplied. Having put 5000 land-forces, on board, he entruſted it to the marquis of Hamilton, who had orders to ſail to the frith of Forth, and to cauſe a diverſion in the forces of the malcontents. An army was levied of near 20,000 foot and above 3000 horſe, and was put under the command of the earl of Arundel, a nobleman of great family, but celebrated neither for military nor political abilities. The earl of Eſſex, a man of ſtrict honour, and extremely popular, eſpecially among the ſoldiery, was appointed lieutenant-general: The earl of Holland was general of the horſe. The king himſelf joined the army, and he ſummoned all the peers of England to attend him. The whole had the appearance of a ſplendid court, rather than of a military armament; and in this ſituation, carrying more ſhow than real force with it, the camp arrived at Berwic [f]. 1639. 29th May.

THE Scottiſh army was as numerous as that of the king, but inferior in cavalry. The officers had more reputation and experience; and the ſoldiers, though undiſciplined and ill-armed, were animated as well by the national averſion to England, and the dread of becoming a province to their old enemy, as by an unſurmountable fervour of religion. The pulpits had extremely aſſiſted the officers in levying recruits, and had thundered out anathemas againſt all thoſe *who went not out to aſſiſt the Lord againſt the mighty* [g]. Yet ſo prudent were the leaders of the malcontents, that they immediately ſent ſubmiſſive meſſages to the king, and craved to be admitted to a treaty.

[e] Ruſh. vol. iii. p. 1329. Franklyn, p. 767.
[f] Clarendon, vol. i. p. 115, 116, 117.
[g] Burnet's Memoirs of Hamilton.

CHARLES knew that the force of the covenanters was conſiderable, their ſpirits high, their zeal furious; and that, as they were not yet daunted by any ill ſucceſs, no reaſonable terms could be expected from them. With regard therefore to a treaty, great difficulties occurred on both ſides. Should he ſubmit to the pretenſions of the malcontents, beſides that the prelacy muſt be ſacrificed to their religious prejudices, ſuch a check would be given to royal authority, which had, very lately, and with much difficulty, been thoroughly eſtabliſhed in Scotland, that he muſt expect, ever after, to retain, in that kingdom, no more than the appearance of majeſty. The great men, having proved, by ſo ſenſible a trial, the impotence of law and prerogative, would return to their former licentiouſneſs: The preachers would retain their innate arrogance: And the people, unprotected by juſtice, would recognize no other authority than that which they found to domineer over them. England alſo, it was much to be feared, would imitate ſo bad an example; and having already a ſtrong propenſity towards republican and puritanical factions, would expect, by the ſame ſeditious practices, to attain the ſame indulgence. To advance ſo far, without bringing the rebels to a total ſubmiſſion, at leaſt to reaſonable conceſſions, was to promiſe them, in all future time, an impunity for rebellion.

ON the other hand, Charles conſidered that Scotland was never before, under any of his anceſtors, ſo united, and ſo animated in its own defence; yet had often been able to foil or elude the force of England, combined heartily in one cauſe, and enured by long practice to the uſe of arms. How much greater difficulty, ſhould he find at preſent, to ſubdue, by violence, a people inflamed with religious prejudices; while he could only oppoſe to them a nation enervated by long peace, and lukewarm in his ſervice; or, what was more to be dreaded, many of them engaged in the ſame party with the rebels [b]. Should the war be only protracted beyond a campaign, (and who could expect to finiſh it in that period?) his treaſures would fail him; and, for ſupply, he muſt have recourſe to an Engliſh parliament, which, by fatal experience, he had ever found more ready to encroach on the prerogatives, than to ſupply the neceſſities, of the crown. And what if he receive a defeat from the rebel army? This misfortune was far from being impoſſible. They were engaged in a national cauſe, and ſtrongly actuated by miſtaken principles. His army was retained entirely by pay, and looked on the quarrel with the ſame indifference which naturally belongs to mercenary troops, without poſſeſſing the diſcipline by which ſuch troops are commonly diſtinguiſhed. And the con-

[b] Ruſh. vol. iii. p. 936.

ſequences of a defeat, while Scotland was enraged and England diſcontented, were ſo dreadful, that no motive ſhould perſuade him to hazard it.

IT is evident that Charles had fallen into ſuch a ſituation, that, which ever ſide he embraced, his errors muſt be dangerous: No wonder, therefore, he was in great perplexity. But he did worſe than embrace the worſt ſide: for, properly ſpeaking, he embraced no ſide at all. He concluded a ſudden pacification, in which it was ſtipulated, that he ſhould withdraw his fleet and army; that, within eight and forty hours, the Scots ſhould diſmiſs their forces; that the king's forts ſhould be reſtored to him; his authority be acknowledged; and a general aſſembly and a parliament be immediately ſummoned, in order to compoſe all differences[1]. What were the *reaſons* which engaged the king to admit ſuch ſtrange articles of peace, it is in vain to enquire: For there ſcarcely could be any. The *cauſes* of that event may admit of a more eaſy explication.

THE malcontents had been very induſtrious in repreſenting to the Engliſh the grievances under which Scotland laboured, and the ill counſels which had been ſuggeſted to their ſovereign. Their liberties, they ſaid were invaded: The prerogatives of the crown extended beyond all former precedent: Illegal courts erected: the hierarchy exalted at the expence of national privileges: And ſo many new ſuperſtitions introduced by the haughty tyrannical prelates, as begat a juſt ſuſpicion that a project was ſeriouſly formed for the reſtoration of popery. The king's conduct, ſurely, in Scotland, had been, in every thing, except in eſtabliſhing the eccleſiaſtical canons, more legal than in England; yet was there ſuch a general reſemblance in the complaints of both kingdoms, that the Engliſh readily aſſented to all the repreſentations of the Scottiſh malcontents, and believed that nation to have been driven, by oppreſſion, into the violent counſels which they had embraced. So far, therefore, from being willing to ſecond the king in ſubduing the free ſpirit of the Scots; they rather pitied that unhappy people, who had been puſhed to thoſe extremities: And they thought that the example of ſuch neighbours, as well as their aſſiſtance, might, ſome time, be advantageous to England, and encourage her to recover, by a vigorous effort, her violated laws and liberties. The gentry and nobility, who, without attachment to the court without command in the army, attended in great numbers the Engliſh camp, greedily ſeized, and propagated, and gave authority to theſe ſentiments: A retreat, very little honourable, which the earl of Holland with a conſiderable detachment of the Engliſh forces, had made before a detachment of the Scottiſh, cauſed all theſe humours to blaze up

[1] Rush. vol iii. p. 945.

at once: And the king, whose character was not sufficiently vigorous or decisive, and who was apt, from facility, to embrace hasty counsels, suddenly assented to a measure which was recommended by all about him, and which favoured his natural propension towards the misguided subjects of his native kingdom [k].

CHARLES, having so far advanced in pacific measures, ought, with a steady resolution, to have prosecuted them, and have submitted to every tolerable condition demanded by the assembly and parliament; nor should he have recommenced hostilities, but on account of such enormous and unexpected pretensions, as would have justified his cause, if possible, to the whole English nation. So far, indeed, he adopted this plan, that he agreed, not only to confirm his former concessions, of abrogating the canons, the liturgy, the high commission, and the articles, of Perth; but also to abolish the order itself of bishops, for which he had so zealously contended [l]. But this concession was gained by the utmost violence which he could impose on his disposition and prejudices: He even secretly retained an intention of seizing favourable opportunities, in order to recover the ground which he had lost [m]. And one step farther he could not prevail with himself to advance. The assembly, when it met, paid no deference to the king's prepossessions, but gave full indulgence to their own. They voted episcopacy to be unlawful in the church of Scotland: He was willing to allow it contrary to the constitutions of that church. They stigmatised the liturgy and canons as popish: He agreed simply to abolish them. They denominated the high commission, tyranny: He was content to set it aside [n]. The parliament, which sat after the assembly, advanced pretensions, which tended to diminish the civil power of the monarch; and, what probably affected Charles still more, they were proceeding to ratify the acts of assembly, when, by the king's instructions [o], Traquaire, the commissioner, prorogued them. And on account of these claims which might have been foreseen, was the war renewed; with great advantages on the side of the covenanters, and disadvantages on that of the king.

1639. Aug. 17.

War renewed.

No sooner had Charles concluded the pacification without conditions, than the necessity of his affairs, and his want of money, obliged him to disband his army; and as the soldiers had been held together solely by mercenary views, it was not possible, without great trouble, and expence, and loss of time, again to assemble them. The more prudent covenanters

[k] Clarendon, vol. i. p. 122, 123. May, p. 46. Burnet's Memoirs, p. 154. Rush. vol. iii. p. 951.
[l] Rush, vol. iii. p. 946.
[m] Ibid.
[n] Idem, Ibid. p. 958, &c.
[o] Rush, vol. iii. p. 955.

had concluded, that their pretenſions being ſo contrary to the intereſts, and ſtill more to the inclinations of the king, it was likely that they ſhould again be obliged to ſupport their cauſe by arms; and they were therefore careful, in diſmiſſing their troops, to preſerve nothing but the appearance of a pacific diſpoſition. The officers had orders to be ready on the firſt ſummons: The ſoldiers were warned not to think the nation ſecure from an Engliſh invaſion: And the religious zeal which animated all ranks of men, made them immediately fly to their ſtandards as ſoon as the trumpet was ſounded by their ſpiritual and temporal leaders. The credit which, in their laſt expedition, they had acquired, by obliging their ſovereign to depart from all his pretenſions, gave courage to every one, in undertaking this new enterprize [p].

1640. April 13th.

THE king, with great difficulty, found means to draw together an army: but ſoon diſcovered, that, all ſavings being gone, and great debts contracted, his revenue would be inſufficient to ſupport them. An Engliſh parliament, therefore, formerly ſo unkind and intractable muſt now after above eleven years intermiſſion, after the king had tried many irregular methods of taxation, after multiplied diſguſts given to the puritanical party, be ſummoned to aſſemble, amidſt the preſſing neceſſities of the crown.

4th Engliſh parliament.

As the king reſolved to try, whether this houſe of commons would be more compliant than their predeceſſors and grant him ſupply on any reaſonable terms: the time, appointed for meeting of parliament, was late, and very near the time allotted for opening the campaign againſt the Scots. After the paſt experience of their ill-humour, and of their encroaching diſpoſition, he thought that he could not, in prudence, truſt them with a long ſeſſion, till he had ſeen ſome better proofs of their good intentions; The urgency of the occaſion, and the little time allowed for debate, were reaſons which he reſerved againſt the malcontents in the houſe: And an incident had happened, which, he believed, had now furniſhed him with ſtill more cogent arguments.

THE earl of Traquaire had intercepted a letter, written to the king of France by the Scottiſh malcontents; and had conveyed this letter to the king. Charles, partly repenting of the large conceſſions made to the Scots, partly diſguſted at their freſh inſolence and pretenſions, ſeized this opportunity of breaking with them. He had thrown into the Tower lord Loudon, commiſſioner from the covenanters; one of the perſons who had ſigned the treaſonable letter [q]. And he now laid the matter before

[p] Clarendon, vol. i. p. 125. Ruſh. vol. iii. p. 1023.

[q] Clarendon. vol. i. p. 129. Ruſh. vol. iii. p. 956. May, p. 56.

the parliament, whom he hoped to inflame by the reſentment, and alarm by the danger, of this application to a foreign power. By the mouth of lord keeper, Finch, he diſcovered his wants, and informed them, that he had been able to aſſemble his army, and to ſubſiſt them, not by any revenue which he poſſeſſed, but by means of a large debt of above 300,000 pounds, which he had contracted, and for which he had given ſecurity upon the crown-lands. He repreſented, that it was neceſſary to grant ſupplies for the immediate and urgent demands of his military armaments: That the ſeaſon was far advanced, the time precious, and none of it muſt be loſt in deliberation: That though his coffers were empty, they had not been exhauſted by unneceſſary pomp, or ſumptuous buildings, or any other kind of magnificence; That whatever ſupplies had been levied on his ſubjects, had been employed for their advantage and preſervation, and like vapours riſing out of the earth, and gathered into a cloud, had fallen in ſweet and refreſhing ſhowers on the ſame fields, from which they had, at firſt, been exhaled: That though he deſired ſuch immediate aſſiſtance as might prevent, for the time, a total diſorder in the government, he was far from any intention of precluding them from their right to enquire into the ſtate of the kingdom, and to offer him petitions for the redreſs of their grievances: That as much as was poſſible of this ſeaſon ſhould afterwards be allowed them for that purpoſe: That as he expected only ſuch ſupply at preſent as the current ſervice neceſſarily required, it would be requiſite to aſſemble them again next winter, when they ſhould have full leiſure to conclude whatever buſineſs had, this ſeſſion, been left imperfect and unfiniſhed: That the parliament of Ireland had twice put ſuch truſt in his good intentions as to grant him, in the beginning of the ſeſſion, a large ſupply, and had ever experienced good effects, from the confidence repoſed in him: And that, in every circumſtance, his people ſhould find his conduct ſuitable to a juſt, pious and gracious king, and ſuch as was calculated to promote an entire harmony between prince and parliament[r].

HOWEVER plauſible theſe topics, they made ſmall impreſſion on the houſe of commons. By ſome illegal, and ſeveral ſuſpicious meaſures of the crown, and by the courageous oppoſition which particular perſons, amidſt dangers and hardſhips, had made to them; the minds of men, throughout the nation, had taken ſuch a turn as to aſcribe every honour to the refractory oppoſers of the king and the miniſters. Theſe were the only patriots, the only lovers of their country, the only heroes, and, perhaps too, the only true Chriſtians. A reaſonable compliance with the court was ſlaviſh dependence; a regard to the king, ſervile flattery; confidence in his promiſes, ſhameful proſtitution. This general caſt of thought

[r] Ruſh. vol. iii. p. 1114.

which has, more or less prevailed in England during near a century and a half, and which has been the cause of much good and much ill in public affairs, never predominated more than during the reign of Charles. The present house of commons, being entirely composed of country-gentlemen, who came into parliament with all their native prejudices about them, and whom the crown had no means of influencing, could not fail to contain a majority of these stubborn patriots.

AFFAIRS likewise, by means of the Scottish insurrection, and the general discontents in England, were drawing so near to a crisis, that the leaders of the house, sagacious and penetrating, began to foresee the consequences, and to hope that the time so long wished for was now come, when royal authority must fall into a total subordination under popular assemblies, and when public liberty must acquire a full ascendant. By reducing the crown to necessities, they had hitherto found, that the king had been pushed into violent counsels, which had served extremely the purposes of his adversaries: And by multiplying these necessities, it was foreseen, that his prerogative, undermined on all sides, must at last be overthrown, and no longer be dangerous to the privileges of the people. Whatever therefore, tended to compose the differences between king and parliament, and to preserve the government uniformly in its present channel, was zealously opposed by these popular leaders; and their past conduct and sufferings gave them credit sufficient to effect all their purposes.

THE house of commons, moved by these and many other obvious reasons, instead of taking notice of the king's complaint against his Scottish subjects, or his applications for supply, entered immediately upon grievances; and a speech, which Pym made them on that subject, was much more hearkened to, than that which the lord keeper had delivered to them in the name of their sovereign. The subject of Pym's harangue has been sufficiently explained above; where we gave an account of all the grievances, imaginary in the church, more real in the state, of which the nation, at that time, so loudly complained [s]. The house began with examining the behaviour of the speaker the last day of the former parliament; when he refused, on account of the king's command, to put the question: And they declared it a breach of privilege. They proceeded next to enquire into the imprisonment and prosecution of Sir John Elliot, Hollis, and Valentine [t]; The affair of ship-money was canvassed: And plentiful subject of enquiry was suggested on all hands. Grievances were regularly classed under three heads; those with regard to privileges of parliament, to the property of the subject, and to religion [u]. The king seeing a large and inexhaustible field opened, pressed them again for supply; and finding

[s] Clarendon, vol. i. p. 133. Rush. vol. iii. p. 1131. May, p. 6. [t] Rush. vol. iii. p. 1136. [u] Idem, ibid. p. 1147.

his meſſage ineffectual, he came to the houſe of peers, and deſired their good offices with the commons. The peers were ſenſible of the king's urgent neceſſities; and thought that ſupply, on this occaſion, ought, both in reaſon and decency, to go before grievances. They ventured to repreſent their ſenſe of the matter to the commons; but their interceſſion did harm. The commons had always claimed, as their peculiar province, the granting of ſupplies; and though the peers had here gone no farther than offering advice, the lower houſe immediately thought proper to vote ſo unprecedented an interpoſition to be a breach of privilege [w]. Charles, in order to bring the matter of ſupply to ſome iſſue, ſolicited the houſe by new meſſages; and finding that ſhip-money gave great alarm and diſguſt; beſides informing them, that he never intended to make a conſtant revenue of it, that all the money levied had been regularly, with other great ſums expended on equipping the navy; he now went ſo far as to offer them a total abolition of that obnoxious claim, by any law, which the commons ſhould think proper to preſent to him. In return, he only aſked for his neceſſities, a ſupply of twelve ſubſidies, about ſix hundred thouſand pounds, and that payable in three years; but at the ſame time he let them know, that conſidering the ſituation of his affairs, a delay would be equivalent to a denial [x]. The king, though the majority was againſt him, never had more friends in any houſe of commons; and the debate was carried on for two days, with great zeal and warmth on both ſides.

IT was urged by the partizans of the court, that the happieſt occaſion, which the fondeſt wiſhes could ſuggeſt, was now preſented, for removing all diſguſts and jealouſies between king and people, and for reconciling their ſovereign, for ever to the uſe of parliaments. That if they, on their part, laid aſide all enormous claims and pretenſions, and provided, in a reaſonable manner for the public neceſſities; they needed entertain no ſuſpicion of any inſatiable ambition or illegal uſurpation in the crown. That though due regard had not always been paid, during this reign, to the rights of the people, yet no invaſion of them had been altogether deliberate and voluntary; much leſs, the reſult of wanton tyranny and injuſtice; and ſtill leſs of a formed deſign to ſubvert the conſtitution. That to repoſe a reaſonable confidence in the king, and generouſly to ſupply his preſent wants, which proceeded neither from prodigality nor miſconduct, would be the true means of gaining on his generous nature, and extorting by violence, by gentle violence, ſuch conceſſions, as were requiſite for the eſtabliſhment of public liberty. That he had promiſed, not only on the word of a prince, but alſo on that of a gentleman (the expreſſion which he had been pleaſed to uſe) that after the ſupply was granted,

[w] Clarendon, vol i. p. 134, [x] Ibid. vol. i. p. 135. Ruſh. vol iii. p. 1154.

the parliament ſhould ſtill have liberty to continue their deliberations: could it be ſuſpected, that any man, any prince, much leſs ſuch a one, whoſe word was as yet ſacred and inviolate, would for ſo ſmall a motive, forfeit his honour, and with it, all future truſt and confidence, by breaking a promiſe, ſo public and ſolemn? That even if the parliament ſhould be deceived in repoſing this confidence in him, they neither loſt any thing, nor incurred any danger; ſince it was evidently neceſſary, for the ſecurity of public peace, to ſupply him with money, in order to ſuppreſs the Scottiſh rebellion. That he had ſo far ſuited his firſt demands to their prejudices, that he only aſked a ſupply for a few months, and was willing, after ſo ſhort a truſt from them, to fall again into dependance, and to truſt them for his farther ſupport and ſubſiſtence. That if he now ſeemed to deſire ſomething farther, he alſo made them, in return, a conſiderable offer, and was willing, for the future, to depend on them for a revenue, which was quite neceſſary for public honour and ſecurity. That the nature of the Engliſh conſtitution ſuppoſed a mutual confidence between king and parliament: And if they ſhould refuſe it on their part, eſpecially with circumſtances of ſuch outrage and indignity; what could be expected but a total diſſolution of government, and violent factions, followed by the moſt dangerous convulſions and inteſtine diſorders?

In oppoſition to theſe arguments, it was urged by the malcontent party, that the court had diſcovered, on their part, but few ſymptoms of that mutual confidence to which they now ſo kindly invited the commons. That eleven years intermiſſion of parliaments, the longeſt that was to be found in the Engliſh annals, was a ſufficient indication of the jealouſy entertained againſt the people; or rather of deſigns formed for the ſuppreſſion of all their liberties and privileges: That the miniſters might well plead neceſſity, nor could any thing, indeed, be a ſtronger proof of ſome invincible neceſſity, than their embracing a meaſure, for which they had conceived ſo violent an averſion, as the aſſembling of an Engliſh parliament: That this neceſſity, however, was purely miniſterial, not national: And if the ſame grievances, eccleſiaſtical and civil, under which this nation itſelf laboured, had puſhed the Scots to extremities; was it requiſite that the Engliſh ſhould forge their own chains, by impoſing chains on their unhappy neighbours? That the ancient practice of parliament was to give grievances the precedency of ſupply; and this order, ſo carefully obſerved by their anceſtors, was founded on a jealouſy inherent in the conſtitution, and was never interpreted as any peculiar diffidence of the preſent ſovereign: That a practice, which had been upheld, during times the moſt favourable to liberty, could not, in common prudence, be departed from, where ſuch undeniable reaſons for ſuſpicion had been afforded: That it was ridiculous to plead the advanced ſeaſon, and the urgent occaſion for

ſupply; when it plainly appeared, that, in order to afford a pretence for this topic, and to ſeduce the commons, great political contrivance had been employed: That the writs for elections were iſſued early in the winter; and if the meeting of parliament had not purpoſely been delayed till ſo near the commencement of military operations, there had been leiſure ſufficient to have redreſſed all national grievances, and to have proceeded afterwards to an examination of the king's occaſion for ſupply. That the intention of ſo groſs an artifice was to engage the commons, under pretence of neceſſity, to violate the regular order of parliament; and a precedent of that kind being once eſtabliſhed, no enquiry into public meaſures would afterwards be permitted: That ſcarcely any argument, more unfavourable, could be pleaded for ſupply, than an offer to aboliſh ſhip-money; a taxation, the moſt illegal and the moſt dangerous, that had, ever, in any reign, been impoſed upon the nation: And that, by bargaining for the remiſſion of that duty, the commons would, in a manner, ratify the authority, by which it had been levied; at leaſt, give encouragement for advancing new pretenſions of a like nature, in hopes of reſigning them on like advantageous conditions.

THESE reaſons, joined to ſo many occaſions of ill humour, ſeemed to ſway with the greater number: But, to make the matter worſe, Sir Harry Vane, the ſecretary, told the commons, without any authority from the king, that nothing leſs than twelve ſubſidies would be accepted as a compenſation for the abolition of ſhip money. This aſſertion, proceeding from the indiſcretion, if we are not rather to call it the treachery, of Vane, diſpleaſed the houſe, by ſhowing a ſtiffneſs and rigidity in the king, which in a claim ſo ill grounded, was deemed inexcuſable [z]. We are informed likewiſe, that ſome men, who were thought to underſtand the ſtate of the nation, affirmed in the houſe, that the amount of twelve ſubſidies was a greater ſum than could be found in all England. Such were the happy ignorance and inexperience of thoſe times, with regard to taxes [a]!

THE king was in great doubt and perplexity. He ſaw that his friends in the houſe were outnumbered by his enemies, and that the ſame counſels were ſtill prevalent, which had ever bred ſuch oppoſition and diſturbance. Inſtead of hoping that any ſupply would be granted him, to carry on war againſt the Scots, whom the majority of the houſe regarded as their beſt friends and firmeſt allies; he expected every day, that they would preſent him an addreſs for making peace with thoſe rebels. And if the houſe met again, a vote he was informed, would certainly paſs, to blaſt his revenue of ſhip-money; and thereby renew all the oppoſition, which, with ſo much difficulty, he had ſur-

[z] Clarendon, vol. i. p. 138. [a] Ibid. vol. i. p. 136.

mounted, in levying that taxation. Where great evils lie on all ſides, it is difficult to follow the beſt counſel; nor is it any wonder, that the king, whoſe capacity was not equal to ſituations of ſuch extreme delicacy, ſhould haſtily have formed and executed the reſolution of diſſolving this parliament: A meaſure, however, of which he ſoon after repented, and which the ſubſequent events, more than any convincing reaſon, inclined every one to condemn. The laſt parliament, which ended with ſuch rigour and violence, had yet, at firſt, covered their intentions with greater appearance of moderation than this parliament had hitherto aſſumed. 1640. Diſſolution.

AN abrupt and violent diſſolution naturally excites diſcontents among the people, who uſually put entire confidence in their repreſentatives, and expect from them the redreſs of all grievances. As if there were not already ſufficient grounds of complaint, the king perſevered ſtill in thoſe counſels, which from experience, he might have been ſenſible, were ſo dangerous and unpopular. Bellaſis and Sir John Hotham were ſummoned before the council; and refuſing to give any account of their conduct in parliament, were committed to priſon. All the petitions and complaints, which had been ſent to the committee of religion, were demanded from Crew, chairman of that committee; and on his refuſal to deliver them, he was ſent to the tower. The ſtudies and even the pockets of the earl of Warwic and lord Broke, before the expiration of privilege, were ſearched, in expectation of finding treaſonable papers. Theſe acts of authority were interpreted, with ſome appearance of reaſon, to be invaſions on the right of national aſſemblies [b]. But the king, after the firſt provocation which he had met with, never ſufficiently reſpected the privileges of parliament; and, by his example, he farther confirmed their reſolution, when they ſhould acquire power, to pay like diſregard to the prerogatives of the crown.

THOUGH the parliament was diſſolved, the convocation was ſtill allowed to ſit; a practice, of which, ſince the reformation; there were but few inſtances [c], and which was for that reaſon ſuppoſed by many to be irregular. Beſides granting to the king a ſupply from the ſpirituality, and framing many canons, the convocation jealous of like innovations, with thoſe which had taken place in Scotland, impoſed an oath on the clergy, and the graduates in the univerſities, by which every one ſwore to maintain the eſtabliſhed government of the church, by archbiſhops, biſhops, deans, chapters, &c. [d]. Theſe ſteps, in the preſent diſ-

[b] Ruſh. vol. ii. p. 1167. May. p. 61.

[c] There was one in 1586. See hiſtory of archbiſhop Laud, p. 80. The authority of the convocation was indeed, in moſt reſpects, independent of the parliament, and there was no reaſon, which required the one to be diſſolved upon the diſſolution of the other.

[d] Whitlocke, p. 33.

contented humour of the nation, were commonly deemed illegal; because not ratified by consent of parliament, in whom all authority was now supposed to be centered. And nothing, besides, could afford more subject of ridicule, than an oath, which contained an *et cætera* in the midst of it.

1640. Discontents in England.

THE people, who generally abhorred the convocation as much as they revered the parliament, could scarcely be restrained from insulting and abusing this assembly; and the king was obliged to give them guards, in order to protect them [e]. An attack too was made during the night upon Laud, in his palace of Lambeth, by above 500 persons; and he found it necessary to fortify himself for his defence [f]. A multitude, consisting of two thousand sectaries, entered St. Paul's, where the high commission then sat; tore down the benches; and cried out, *No bishop, no high commission* [g]. All these instances of discontent were presages of some great revolution, had the court possessed sufficient skill to discern the danger or sufficient power to provide against it.

IN this disposition of men's minds, it was in vain that the king issued a declaration, in order to convince his people of the necessity, which he lay under, of dissolving the last parliament [h]. The chief topic on which he insisted, was, that the commons imitated the bad example of all their predecessors of late years, in making continual encroachments on his authority, in censuring his whole administration and conduct, in discussing every circumstance of public government, and in their indirect bargaining and contracting with their king for supply; as if nothing ought to be given him but what he should purchase, either by quitting somewhat of his royal prerogative, or by diminishing and lessening his standing revenue. These practices, he said, were contrary to the maxims of their ancestors; and these practices were totally incompatible with monarchy [i].

THE king, disappointed of parliamentary subsidies, was obliged to have recourse to other expedients, in order to supply his urgent necessities. The ecclesiastical subsidies served him in some stead; and it seemed but just, that the clergy should contribute to a war, which was, in a great measure, of their own raising [k]. He borrowed money from his ministers and courtiers; and so much was he beloved among them, that above 300,000 pounds were subscribed in a few days: Though nothing surely could be more disagreeable to a prince, full of dignity, than to be a burthen on his friends, instead of being a support to them. Some attempts were made towards forcing a loan from the citizens; but still repelled by the spirit of liberty, which was now become unconquerable [l]. A loan of 40,000

[e] Whitlocke, p. 33. [f] Dugdale, p. 62. Clarendon, vol. i. p. 143.
[g] Dugdale p. 65. [h] Rushwort, vol. iii. p. 1166.
[i] See note [Z] at the end of the volume. [k] May, p. 48. Rush. vol. iii. 1181.

pounds was extorted from the Spaniſh merchants, who had bullion in the Tower, expoſed to the attempts of the king. Coat and conduct-money for the ſoldiery was levied on the counties; an ancient practice [m], but ſuppoſed to be aboliſhed by the petition of right. All the pepper was bought from the Eaſt-India company upon truſt, and ſold, at a great diſcount, for ready money [n]. A ſcheme was propoſed for coining two or three hundred thouſand pounds of baſe money [o]. Such were the extremities to which Charles was reduced. The freſh difficulties, which, amidſt the preſent diſtreſſes were, every day, raiſed, with regard to the payment of ſhip-money, obliged him to exert continual acts of authority, augmented the diſcontents of the people, and encreaſed his indigence and neceſſities [p].

THE preſent expedients, however, enabled the king, though with great difficulty, to march his army, conſiſting of 19,000 foot and 2000 horſe [q]. The earl of Northumberland was appointed general: The earl of Strafford, who was called over from Ireland, lieutenant-general: Lord Conway, general of the horſe. A ſmall fleet was thought ſufficient to ſerve the purpoſes of this expedition.

So great are the effects of zeal and unanimity, that the Scottiſh army, though ſomewhat ſuperior, were ſooner ready than the king's; and they marched to the borders of England. To engage them to proceed, beſides their general knowledge of the ſecret diſcontents of that kingdom, lord Saville had forged a letter, in the name of ſix noblemen the moſt conſiderable of England, by which the Scots were invited to aſſiſt their neighbours, in procuring a redreſs of grievances [r]. Notwithſtanding theſe warlike preparations and hoſtile attempts, the covenanters ſtill preſerved the moſt pathetic and moſt ſubmiſſive language; and entered England, they ſaid, with no other view, than to obtain acceſs to the king's preſence, and lay their humble petition at his royal feet. At Newburn upon Tyne, they were oppoſed by a detachment of 4,500 men under Conway, who ſeemed reſolute to diſpute with them the paſſage of the river. The Scots firſt entreated them, with great civility, not to ſtop them in their march to their gracious ſovereign; and then attacked them with great bravery, killed ſeveral, and chaſed the reſt from their ground. Such a panic ſeized the whole Engliſh army, that the forces at Newcaſtle fled immediately to Durham; and not yet thinking themſelves ſafe, they deſerted that town, and retreated into Yorkſhire [s].

1640. 20th Aug.

1640. 28th Aug. Route at Newburn.

[m] Ruſh. vol. i. p. 168. [n] May, p. 63. [o] Ruſh. vol. iii. p. 1216. May, p. 63. [p] Ruſh. vol. iii. p. 1173, 1182, 1184, 1199, 1200, 1203, 1204. [q] Ruſh. vol. iii. p. 1279. [r] Nalſon, vol. ii. p. 427. [s] Clarendon, vol. i. p. 143.

THE Scots took poſſeſſion of Newcaſtle; and though ſufficiently elated with their victory, they preſerved exact diſcipline, and perſevered in their reſolution of paying for every thing, in order ſtill to maintain the appearance of an amicable correſpondence with England. They alſo diſpatched meſſengers to the king, who was arrived at York; and they took care, after the advantage, which they had obtained, to redouble their expreſſions of loyalty, duty, and ſubmiſſion to his perſon, and they even made apologies, full of ſorrow and contrition, for their late victory [t].

CHARLES was in a very diſtreſſed condition. The nation was univerſally and highly diſcontented. The army was diſcouraged, and began likewiſe to be diſcontented, both from the contagion of general diſguſt, and as an excuſe for their miſbehaviour, which they were deſirous of repreſenting rather as want of will than of courage to fight. The treaſury too was quite exhauſted, and every expedient for ſupply had been tried to the uttermoſt. No event had happened, but what might have been foreſeen as neceſſary, at leaſt as very probable; yet ſuch was the king's ſituation, that no proviſion could be made, nor was even any reſolution taken, againſt ſuch an exigency.

1640. Treaty at Rippon.

IN order to prevent the advance of the Scots upon him, the king agreed to a treaty, and named ſixteen Engliſh noblemen, who met with eleven Scottiſh commiſſioners at Rippon. The earls of Hertford, Bedford, Saliſbury, Warwic, Eſſex, Holland, Briſtol, and Berkſhire, the lords Kimbolton, Wharton, Dunſmore, Paget, Broke, Saville, Paulet, and Howard of Eſcric, were choſen by the king; all of them popular men, and conſequently ſuppoſed nowiſe averſe to the Scottiſh invaſion, or unacceptable to that nation [u].

AN addreſs arrived from the city of London, petitioning for a parliament; the great point to which all men's projects at this time tended [w]. Twelve noblemen preſented a petition to the ſame purpoſe [x]. But the king contented himſelf with ſummoning a great council of the peers at York; a meaſure, which had formerly been taken in caſes of ſudden emergency, but which, at preſent, could ſerve to little purpoſe. Perhaps, the king, who dreaded above all things, the houſe of commons, and who expected no ſupply from them on any reaſonable terms, thought, that, in his preſent diſtreſſes, he might be enabled to levy ſupplies by the authority of the peers alone. But the employing, ſo long, the plea of a neceſſity, which appeared diſtant and doubtful, rendered it impoſſible for him to avail himſelf of a neceſſity, which was now at laſt become real, urgent, and inevitable.

[t] Ruſh. vol. iii. p. 1255. [u] Clarendon, vol. i. p. 155. [w] Ruſh. vol. iii. p. 1263.
[x] Clarendon, vol. i. p. 146. Ruſh. vol. iii. p. 1260. May, p. 66. Warwick, p. 150.

BY Northumberland's ſickneſs the command of the army had devolved on Strafford. This nobleman poſſeſſed more vigour of mind than the king or any of the council. He adviſed Charles rather to put all to hazard, than ſubmit to ſuch unworthy terms as were likely to be impoſed upon him. The loſs ſuſtained at Newburn, he ſaid, was inconſiderable; and though a panic had for the time ſeized the army, that event was nothing ſtrange among new levied troops; and the Scots, being in the ſame condition, would, no doubt, be liable, in their turn, to a like accident. His opinion, therefore, was, that the king ſhould puſh forward, and attack the Scots, and bring the affair to a quick deciſion; and, if he were ever ſo unſucceſsful, nothing worſe could befal him, than what, from his inactivity, he would certainly be expoſed to [y]. To ſhow how eaſy it would be to execute this project, he ordered an aſſault to be made on ſome quarters of the Scots, and he gained an advantage over them. No ceſſation of arms had, as yet, been agreed to during the treaty at Rippon; yet great clamour prevailed, on account of this act of hoſtility. And when it was known that the officer, who conducted the attack, was a papiſt, a violent outcry was raiſed againſt the king, for employing that hated ſect, in the murder of his proteſtant ſubjects [z].

IT may be worthy of remark, that ſeveral mutinies had ariſen among the Engliſh troops, when marching to join the army; and ſome officers had been murdered, merely on ſuſpicion of their being papiſts [a]. The petition of right had aboliſhed all martial law; and by an inconvenience, which naturally attended the plan, as yet new and unformed, of regular and rigid liberty, it was found abſolutely impoſſible for the generals to govern the army, by all the authority, which the king could legally confer upon them. The lawyers had declared, that martial law could not be exerciſed, except in the very preſence of an enemy; and becauſe it had been found neceſſary to execute a mutineer, the generals thought it adviſeable, for their own ſafety, to apply for a pardon from the crown. This weakneſs, however, was carefully concealed from the army; and lord Conway, ſaid, that, if any lawyer were ſo imprudent as to diſcover the ſecret to the ſoldiers, it would be neceſſary inſtantly to refute him, and to hang the lawyer himſelf, by ſentence of a court-martial [b].

AN army new levied, undiſciplined, frightened, ſeditious, ill-paid, and governed by no proper authority, was very unfit for withſtanding a victorious and high-ſpirited enemy, and retaining in ſubjection a diſcontented and zealous nation.

[y] Nalſon, vol. ii. p. 5. [z] Clarendon, vol. i. p. 159. [a] Ruſh. vol. iii. p 1190, 1191, 1192, &c. May, p. 64. [b] Ruſh. vol. iii. p. 1199.

1640. 4th. Sept. Great council of the peers.

CHARLES, in deſpair of being able to ſtem the torrent, at laſt determined to yield to it: And as he foreſaw that the great council of the peers would adviſe him to call a parliament, he told them, in his firſt ſpeech, that he had already taken this reſolution. He informed them likewiſe, that the queen, in a letter which ſhe had written to him, had very earneſtly recommended that meaſure. This good prince, who was extremely attached to his conſort, and who paſſionately wiſhed to render her popular in the nation, forgot not, amidſt all his diſtreſs, the intereſts of his domeſtic tenderneſs [c].

IN order to ſubſiſt both armies (for the king was obliged, in order to ſave the northern counties, to pay his enemies) Charles wrote to the city, deſiring a loan of 200,000 pounds. And the peers at York, whoſe authority was now much greater than that of their ſovereign, joined in the ſame requeſt [d]. So low was this prince already fallen in the eyes of his own ſubjects!

As many difficulties occurred in the negociation with the Scots, it was propoſed to transfer the treaty from Rippon to London: A propoſal willingly embraced by that nation, who were now ſure of treating with advantage, in a place where the king, they foreſaw, would be, in a manner, a priſoner, in the midſt of his implacable enemies, and their determined friends [e].

CHAP. LIV.

Meeting of the long parliament—Strafford and Laud impeached——Finch and Windebank fly———Great authority of the commons———The biſhops attacked———Tonnage and poundage———Triennial bill——Strafford's trial——Bill of attainder———Execution of Strafford——High commiſſion and ſtar-chamber aboliſhed——King's journey to Scotland.

1640. THE cauſes of diſguſt which, for above thirty years, had daily been multiplying in England, were now come to full maturity, and threatened the kingdom with ſome great revolution or convulſion. The uncertain and undefined limits of prerogative and privilege had been eagerly diſputed during that whole period; and in every controverſy between prince and people, the queſtion, however doubtful,

[c] Clarendon, vol. i. p. 154. Ruſh. vol. iii. p. 1275. [d] Ruſh. vol. iii. p. 1279.
[e] Ibid. p. 1305.

had always been decided by each party in favour of its own pretenſions. Too lightly, perhaps, moved by the appearance of neceſſity, the king had even aſſumed powers incompatible with the principles of limited government, and had rendered it impoſſible for his moſt zealous partizans entirely to juſtify his conduct, except by topics ſo unpopular, that they were more fitted, in the preſent diſpoſition of men's minds, to inflame, than appeaſe, the general diſcontent. Thoſe great ſupports of public authority, law and religion, had likewiſe, by the unbounded compliance of judges and prelates, loſt much of their influence over the people; or rather had in a great meaſure gone over to the ſide of faction, and authorized the ſpirit of oppoſition and rebellion. The nobility, alſo, whom the king had no means of retaining by offices and preferments ſuitable to their rank, had been ſeized with the general diſcontent, and unwarily threw themſelves into the ſcale, which already began too much to preponderate. Senſible of ſome encroachments which had been made by royal authority, men entertained no jealouſy of the commons, whoſe enterprizes, for the acquiſition of power, had ever been covered with the appearance of public good, and had hitherto gone no farther than ſome diſappointed efforts and endeavours. The progreſs of the Scottiſh malcontents reduced the the crown to an entire dependence for ſupply: Their union with the popular party in England brought great acceſſion of authority to the latter: The near proſpect of ſucceſs roufed all latent murmurs and pretenſions which had hitherto been held in ſuch violent conſtraint: And the torrent of general inclination and opinion ran ſo ſtrongly againſt the court, that the king was in no ſituation to refuſe any reaſonable demands of the popular leaders, either for defining or limiting the powers of his prerogative. Even many exorbitant claims, in his preſent ſituation, would probably be made, and muſt neceſſarily be complied with.

THE triumph of the malcontents over the church was not yet ſo immediate or certain. Though the political and religious puritans mutually lent aſſiſtance to each other, there were many who joined the former, yet declined all connexion with the latter. The hierarchy had been eſtabliſhed in England ever ſince the reformation: The Romiſh church in all ages, had carefully maintained that form of eccleſiaſtical government: The ancient fathers too bore teſtimony to epiſcopal juriſdiction: And though parity may ſeem at firſt to have had place among Chriſtian paſtors, the period, during which it prevailed, was ſo ſhort, that few undiſputed traces of it remained in hiſtory. The biſhops and their more zealous partizans inferred thence the divine indefeizable right of prelacy: Others regarded that inſtitution as venerable and uſeful: And if the love of novelty led ſome to adopt the new rites and diſcipline of the puritans, the reverence to antiquity retained many in their attachment to the liturgy and govern-

ment of the church. It behoved therefore, the zealous innovators in parliament to proceed with ſome caution and reſerve. By promoting all meaſures which reduced the powers of the crown, they hoped to diſarm the king, whom they juſtly regarded, from principle, inclination, and policy, to be the determined patron of the hierarchy. By declaiming againſt the ſuppoſed encroachments and tyranny of the prelates, they endeavoured to carry the nation, from a hatred of their perſons, to an oppoſition againſt their office and character. And when men were enliſted in party, it would not be difficult, they thought, to lead them by degrees into many meaſures, for which they formerly entertained the greateſt averſion. Though the new ſectaries compoſed not, at firſt, the majority of the nation, they were inflamed, as is uſual among innovators, with extreme zeal for their opinions. Their unſurmountable paſſion, diſguiſed to themſelves, as well as to others, under the appearance of holy fervours, was well qualified to make proſelytes, and to ſeize the minds of the ignorant multitude. And one furious enthuſiaſt was able, by his active induſtry, to ſurmount the indolent efforts of many ſober and reaſonable antagoniſts.

WHEN the nation, therefore, was ſo generally diſcontented, and little ſuſpicion was entertained of any deſign to ſubvert the church and monarchy; no wonder that almoſt all elections ran in favour of thoſe, who, by their high pretenſions to piety and patriotiſm, had encouraged the national prejudices. It is a uſual compliment to regard the king's inclination in the choice of a ſpeaker; and Charles had intended to advance Gardiner, recorder of London, to that important truſt: But ſo little intereſt did the crown, at that time, poſſeſs in the nation, that Gardiner was diſappointed of his election, not only in London, but in every other place where it was attempted: And the king was obliged to make the choice of ſpeaker fall on Lenthal, a lawyer of ſome character, but not ſufficiently qualified for ſo high and difficult an office [f].

1640. Meeting of the long parliament. Nov. 3.

THE eager expectations of men with regard to a parliament, ſummoned at ſo critical a juncture, and during ſuch general diſcontents; a parliament which, from the ſituation of public affairs, could not be abruptly diſſolved, and which was to execute every thing left unfiniſhed by former parliaments; theſe motives, ſo important and intereſting, engaged the attendance of all the members; and the houſe of commons was never obſerved to be, from the beginning, ſo full and numerous. Without any interval, therefore, they entered upon buſineſs, and, by unanimous conſent, they immediately ſtruck a blow which may, in a manner, be regarded as deciſive.

THE earl of Strafford was conſidered as chief miniſter, both on account of the credit which he poſſeſſed with his maſter, and of his own great and uncommon vigour and capacity. By a concurrence of accidents, this

[f] Clarendon, vol. i. p. 169.

man laboured under the ſevere hatred of all the three nations, which compoſed the Britiſh monarchy. The Scots, whoſe authority now ran extremely high, looked on him as the capital enemy of their country, and one, whoſe counſels and influence they had moſt reaſon to apprehend. He had engaged the parliament of Ireland to advance large ſubſidies, in order to ſupport a war againſt them: He had levied an army of 9000 men, with which he had menaced all their weſtern coaſt: He had obliged the Scots, who lived under his government, to renounce the covenant their national idol: He had, in Ireland, proclaimed the Scottiſh covenanters rebels and traitors, even before the king had iſſued any ſuch declaration againſt them in England: And he had even diſſuaded his maſter againſt the late treaty and ſuſpenſion of arms, which he regarded as dangerous and diſhonourable. So avowed and violent were the Scots in their reſentment of all theſe meaſures, that they had refuſed to ſend commiſſioners to treat at York, as was at firſt propoſed; becauſe, they ſaid, the lieutenant of Ireland, their capital enemy, being general of the king's forces, had there the chief command and authority.

STRAFFORD, firſt as deputy, then as lord lieutenant, had governed Ireland during eight years with great vigilance, activity, and prudence, but with very little popularity. In a nation ſo averſe to the Engliſh government and religion, theſe very virtues were ſufficient to draw on him the public hatred. The manners too and character of this great man, though to all full of courteſy, and to his friends full of affection, were, at bottom, haughty, rigid, and ſevere. His authority and influence, during the time of his government, had been unlimited; but no ſooner did adverſity ſeize him, than the concealed averſion of the nation blazed up at once, and the Iriſh parliament uſed every expedient to aggravate the charge againſt him.

THE univerſal diſcontent, which prevailed in England againſt the court, was all pointed towards the earl of Strafford; though without any particular reaſon, but becauſe he was the miniſter of ſtate whom the king moſt favoured and moſt truſted. His extraction was honourable, his paternal fortune conſiderable: Yet envy attended his ſudden and great elevation. And his former aſſociates in popular counſels, finding that he owed his advancement to the deſertion of their cauſe, repreſented him as the great apoſtate of the commonwealth, whom it behoved them to ſacrifice as a victim to public juſtice.

STRAFFORD, ſenſible of the load of popular prejudices under which he laboured, would gladly have declined attendance in parliament; and he begged the king's permiſſion to withdraw himſelf to his government of Ireland, at leaſt to remain at the head of the army in Yorkſhire; where many opportunities, he hoped, would offer, by reaſon of his diſtance, to elude the attacks of his enemies. But Charles, who had entire confidence

in the earl's capacity, thought, that his counsels would be extremely useful during the critical session which approached. And when Strafford still insisted on the danger of his appearing amidst so many enraged enemies, the king, little apprehensive that his own authority was so suddenly to expire, promised him protection, and assured him, that not a hair of his head should be touched by the parliament [g].

1640. 11th Nov. No sooner was Strafford's arrival known, than a concerted attack was made upon him in the house of commons. Pym, in a long, studied discourse, divided into many heads after his manner, enumerated all the grievances under which the nation laboured; and, from a complication of such oppressions, inferred, that a deliberate plan had been formed of changing entirely the frame of government, and subverting the ancient laws and liberties of the kingdom [h]. Could any thing, he said, encrease our indignation against so enormous and criminal a project, it would be to find, that, during the reign of the best of princes, the constitution had been endangered by the worst of ministers, and that the virtues of the king had been reduced by wicked and pernicious counsel. We must enquire, added he, from what fountain these waters of bitterness flow; and though doubtless many evil counsellors will be found to have contributed their endeavours, yet there is one who challenges the infamous pre-eminence, and who, by his courage, enterprize, and capacity, is intitled to the first place among these betrayers of their country. He is the earl of Strafford, lieutenant of Ireland, and president of the council of York, who in both places, and in all other provincer, where he has been entrusted with authority, has raised ample monuments of tyranny, and will appear, from a survey of his actions, to be the chief promoter, of every arbitrary counsel. Some instances of imperious expressions, as well as actions, were given by Pym; who afterwards entered into a more personal attack of that minister, and endeavoured to expose his whole character and manners. The austere genius of Strafford, occupied in the pursuits of ambition, had not rendered his breast altogether innaccessible to the tender passions, or secured him from the dominion of the fair; and in that sullen age, when the irregularities of pleasure were more reproachful than the most odious crimes, these weakneſſes were thought worthy of being mentioned, together with his treasons, before so great an assembly. And, upon the whole, the orator concluded, that it belonged to the house to provide a remedy proportionable to the disease, and to prevent the farther mischiefs justly to be apprehended from the influence which this man had acquired over the measures and counsels of their sovereign [i].

Strafford impeached.

[g] Whitlocke, p. 36. [h] Id. Ibid. [i] Clarendon, i. vol. p. 171.

SIR John Clotworthy an Iriſh gentleman, Sir John Hotham of Yorkſhire, and many others, entered into the ſame topics: And, after ſeveral hours ſpent in bitter invective, when the doors were locked, in order to prevent all diſcovery of their purpoſe; it was moved, in conſequence of the reſolution ſecretly taken, that Strafford ſhould immediately be impeached of high treaſon. This motion was received with univerſal approbation; nor was there, in all the debate, one perſon that offered to ſtop the torrent by any teſtimony in favour of the earl's conduct. Lord Falkland alone, though known to be his enemy, modeſtly deſired the houſe to conſider, whether it would not better ſuit the gravity of their proceedings, firſt to digeſt, by a committee, many of thoſe particulars, which had been mentioned, before they ſent up an accuſation againſt him. It was ingenuouſly anſwered by Pym, that ſuch a delay might probably blaſt all their hopes, and put it out of their power to proceed any farther in the proſecution: That when Strafford ſhould learn, that ſo many of his enormities were diſcovered, his conſcience would dictate his condemnation; and ſo great was his power and credit, he would immediately procure the diſſolution of the parliament, or attempt ſome other deſperate meaſure for his own preſervation: That the commons were only accuſers, not judges; and it was the province of the peers to determine, whether ſuch a complication of enormous crimes, in one perſon, did not amount to the higheſt crime known by the law [k]. Without farther debate, the impeachment was voted: Pym was choſen to carry it up to the lords: Moſt of the houſe accompained him on ſo agreeable an errand: And Strafford, who had juſt entered the houſe of peers, and who little expected ſo ſpeedy a proſecution, was immediately, upon this general charge, ordered into cuſtody, with ſeveral ſymptoms of violent prejudice in his judges, as well as in his proſecutors.

1640. Laud impeached.

IN the enquiry concerning grievances and in the cenſure of paſt meaſures, Laud could not long eſcape the ſevere ſcrutiny of the commons; who were led too, in their accuſation of that prelate, as well by their prejudices againſt his whole order, as by the extreme antipathy, which his intemperate zeal had drawn upon him. After a delibe ration, which ſcarcely laſted half an hour, an impeachment of high treaſon was voted againſt this ſubject, the firſt, both in rank and in favour, throughout the kingdom. Though this incident, conſidering the example of Strafford's impeachment and the preſent diſpoſition of the nation and parliament, needed be no ſurprize to him; yet was he betrayed into ſome paſſion, when the accuſation was preſented. *The commons themſelves*, he ſaid, *though his accuſers, did not believe him guilty of the crimes with which they charged him:* An indiſcretion, which, next day,

[k] Clarendon, vol. i. p. 174.

upon more mature deliberation, he desired leave to retract; but so little favourable were the peers, that they refused him this advantage or indulgence. Laud also was immediately, upon this general charge, sequestered from parliament, and committed to custody [l].

THE capital article insisted on against these two great men, was the design which the commons supposed to have been formed of subverting the laws and constitution of England, and introducing arbitrary and unlimited authority into the kingdom. Of all the king's ministers, no one was so obnoxious in this respect as the lord keeper, Finch. He it was, who being speaker in the king's third parliament, had left the chair, and refused to put the question, when ordered by the house. The extrajudicial opinion of the judges in the case of ship-money had been procured by his intrigues, persuasions, and even menaces. In all unpopular and illegal measures, he was ever most active; and he was even believed to have declared publicly, that, while he was keeper, an order of council should always, with him, be equivalent to a law. To appease the rising displeasure of the commons he had desired to be heard at their bar. He prostrated himself with all humility before them; but this submission availed him nothing. An impeachment was resolved on; and in order to escape their fury, he thought proper secretly to withdraw, and retire into Holland. As he was not esteemed equal to Strafford, or even to Laud, either in capacity or in fidelity to his master; it was generally believed, that his escape had been connived at by the popular leaders [m]. His impeachment, however, in his absence, was carried up to the house of peers.

1640. Lord keeper Finch flies.

SIR Francis Windebank, the secretary, was a creature of Laud's; a sufficient reason for his being extremely obnoxious to the commons. He was secretly suspected too of the crime of popery, and it was known that, from compliasance to the queen, and indeed in compliance with the king's maxims of government, he had granted many indulgences to catholics, and had signed warrants for the pardon of priests, and their delivery from confinement. Grimstone, a popular member, called him, in the house, the very pander and broker to the whore of Babylon [n]. Finding that the scrutiny of the commons was pointing towards him, and being sensible that England was no longer a place of safety for men of his character, he suddenly made his escape into France [o].

Secretary Windebank flies.

THUS, in a few weeks, this house of commons, not opposed, or rather seconded by the peers, had produced such a revolution in the government,

[l] Clarendon, vol. p. 177. Whitlocke, p. 38. Rushworth, vol. iii. p. 1365.
[m] Clarendon, vol. i. p. 177. Whitelocke, p. 38. Rushworth, vol. i. p. 129. 136.
[n] Rushworth, vol. iv. p. 122. [o] Clarendon, vol. i. p. 178. Whitlocke, p. 37.

that the two moſt powerful and moſt favoured miniſters of the king were thrown into the Tower, and daily expected to be tried for their life: Two other miniſters had, by flight alone, ſaved themſelves from a like fate: All the king's ſervants ſaw that no protection could be given them by their maſter: A new juriſdiction was erected in the nation; and before that tribunal all thoſe trembled, who had before exulted moſt in their credit and authority.

WHAT rendered the power of the commons more formidable, was, the extreme prudence with which it was conducted. Not content with the authority, which they had acquired by attacking theſe great miniſters, they were reſolved to render the moſt conſiderable bodies of the nation obnoxious to them. Though the idol of the people, they determined to fortify themſelves likewiſe with terrors, and to overawe thoſe who might ſtill be inclined to ſupport the falling ruins of monarchy.

Great authority of the commons.

DURING the late military operations, ſeveral powers had been exerciſed by the lieutenants and deputy-lieutenants of counties: And theſe powers, though neceſſary for the defence of the nation, and even warranted by all former precedent, yet not being authorized by ſtatute, were now voted to be illegal; and the perſons who had aſſumed them, declared *delinquents*. This term was newly come into vogue, and expreſſed a degree and ſpecies of guilt not exactly known or aſcertained. In conſequence of that determination, many of the nobility and prime gentry of the nation, while only exerting, as they juſtly thought, the legal powers of magiſtracy, unexpectedly found themſelves involved in the crime of delinquency. And the commons reaped this multiplied advantage by their vote: They diſarmed the crown; they eſtabliſhed the maxims of rigid law and liberty and they ſpread the terror of their own authority [p].

THE writs for ſhip-money had been directed to the ſheriffs, who were required, and even obliged under ſevere penalties, to aſſeſs the ſums upon individuals, and to levy them by their authority: Yet were all the ſheriffs, and all thoſe who had been employed in that illegal ſervice, voted, by a very rigorous ſentence, to be delinquents. The king, by the maxims of law, could do no wrong: His miniſters and ſervants, of whatever degree, in caſe of any violation of the conſtitution, were alone culpable [q].

ALL the farmers and officers of the cuſtoms, who had been employed during ſo many years, in levying tonnage and poundage and the new impoſitions, were likewiſe declared criminals, and were afterwards glad to compound for a pardon by paying a fine of 150,000 pounds.

[p] Clarendon, vol. i. p. 176. [q] Ibid. vol. i. p. 176.

EVERY diſcretionary or arbitrary ſentence of the ſtar-chamber and high commiſſion courts; which, from their very conſtitution, were arbitrary, underwent a ſevere ſcrutiny: And all thoſe, who had concurred in ſuch ſentences, were voted to be liable to the penalties of law [r]. No miniſter of the king, no member of the council, but found himſelf expoſed by this deciſion.

THE judges, who had given their vote againſt Hambden in the trial of ſhip-money, were accuſed before the peers, and obliged to find ſurety for appearance. Berkeley, a judge of the King's Bench, was ſeized by order of the houſe, even when ſitting in his tribunal; and all men ſaw with aſtoniſhment the irreſiſtible authority of their juriſdiction [s].

THE ſanction of the lords and commons, as well as that of the king, was declared neceſſary for the confirmation of eccleſiaſtical canons [t]. And this judgment, it muſt be confeſſed, however reaſonable, at leaſt uſeful, it would have been difficult to juſtify by any precedent [u]. But the preſent was no time for queſtion or diſpute. That deciſion, which aboliſhed all legiſlative power, except that of parliament, was requiſite for completing the new plan of liberty, and rendering it quite uniform and ſyſtematical. Almoſt all the bench of biſhops, and the moſt conſiderable of the inferior clergy, who had voted in the late convocation, found themſelves expoſed, by theſe new principles, to the imputation of delinquency [w].

THE moſt unpopular of all Charles's meaſures, and the leaſt juſtifiable, was the revival of monopolies, ſo ſolemnly aboliſhed, after reiterated endeavours, by a recent act of parliament. Senſible of this unhappy meaſure, the king had, of himſelf, recalled, during the time of his firſt expedition againſt Scotland, many of theſe oppreſſive patents: and the reſt were now annulled by authority of parliament, and every one who was concerned in them, declared delinquents. The commons carried ſo far their deteſtation of this odious meaſure, that they aſſumed a power which had formerly been ſeldom practiſed [x], and they expelled all their members who were monopoliſts or projectors: An artifice, by which, beſides encreaſing their own privileges, they weakened ſtill farther the very ſmall party, which the king ſecretly retained in the houſe. Mildmay, a noto-

[r] Clarendon, vol. i. p. 177. [s] Whitlocke, p. 39. [t] Nalſon, vol. i. p. 678. [u] An act of parliament, 25 Hen. VIII. cap. 19 allowed the convocation with the king's conſent to make canons. By the famous act of ſubmiſſion to that prince, the clergy bound themſelves to enact no canons without the king's conſent. The parliament was never mentioned nor thought of. Such pretenſions as the commons advanced at preſent, would, in any former age, have been deemed ſtrange uſurpations.

[w] Clarendon, vol. i. p. 206. Whitlocke, p. 37. Ruſh. vol. v. p. 235 359. Nalſon, vol. i. p. 807. [x] Lord Clarendon ſays it was entirely new, but there are inſtances of it in the reign of Elizabeth. D'Ewes, p. 396. 352. There are alſo inſtances in the reign of James.

rious monopoliſt, yet having aſſociated himſelf with the ruling party, was ſtill allowed to keep his ſeat. In all queſtions indeed of elections, no ſteddy rule of deciſion was obſerved; and nothing farther was regarded than the affections and attachments of the parties [y]. Men's paſſions were too much heated to be ſhocked with any inſtance of injuſtice, which ſerved ends ſo popular as thoſe which were purſued by this houſe of commons.

THE whole ſovereign power being thus in a manner transferred to the commons, and the government, without any ſeeming violence or diſorder, being changed, in a moment, from a monarchy almoſt abſolute, to a pure democracy, the popular leaders ſeemed willing for ſome time to ſuſpend their active vigour, and to conſolidate their authority, ere they proceeded to any violent exerciſe of it. Every day produced ſome new harangue on paſt grievances. The deteſtation of former uſurpations, was farther enlivened: The jealouſy of liberty rouzed: And agreeably to the ſpirit of free government, no leſs indignation was excited, by the view of a violated conſtitution, than by the ravages of the moſt enormous tyranny.

THIS was the time, when genius and capacity of all kinds, freed from the reſtraint of authority, and nouriſhed by unbounded hopes and projects, began to exert themſelves, and be diſtinguiſhed by the public. Then was celebrated the ſagacity of Pym, more fitted for uſe than ornament; matured, not chilled, by his advanced age, and long experience: Then was diſplayed the mighty ambition of Hambden, taught diſguiſe, not moderation, from former conſtraint; ſupported by courage, conducted by prudence, embelliſhed by modeſty; but whether founded in a love of power or zeal for liberty, is ſtill, from his untimely end, left doubtful and uncertain: Then too were known the dark, ardent, and dangerous character of St. John; the impetuous ſpirit of Hollis, violent and ſincere, open and entire in his enmities and in his friendſhips; the enthuſiaſtic genius of young Vane, extravagant in the ends which he purſued, ſagacious and profound in the means which he employed; incited by the appearances of religion, negligent of the duties of morality.

So little apology would be received for paſt meaſures, ſo contagious the general ſpirit of diſcontent, that even men of the moſt moderate tempers, and the moſt attached to the church and monarchy, exerted themſelves with the utmoſt vigour in the redreſs of grievances, and in proſecuting the authors of them. The lively and animated Digby diſplayed his eloquence on this occaſion; the firm and undaunted Capel, the modeſt and candid Palmer. In this liſt too of patriot royaliſts are found the virtuous names of Hyde and Falkland. Though in their ultimate views and intentions,

[y] Clarendon, vol. i. p. 176.

these men differed widely from the former; in their present actions and discourses, an entire concurrence and unanimity was observed.

By the daily harangues and invectives against illegal usurpations, not only the house of commons inflamed themselves with the highest animosity against the court: The nation caught new fire from the popular leaders, and seemed now to have made the first discovery of the many supposed disorders in the government. While the law, in several instances, seemed to be violated, they went no farther than some secret and calm murmurs; but mounted up into rage and fury, as soon as the constitution was thought to be restored to its former integrity and vigour. The capital especially, being the seat of parliament, was highly animated with the spirit of mutiny and disaffection. Tumults were daily raised; seditious assemblies encouraged; and every man, neglecting his own business, was wholly intent on the defence of liberty and religion. By stronger contagion, the popular affections were communicated from breast to breast, in this place of general rendezvous and society.

The harangues of members, now first published and dispersed, kept alive the discontents against the king's administration. The pulpits, delivered over to puritanical preachers and lecturers, whom the commons arbitrarily settled in all the considerable churches, resounded with faction and fanaticism. Vengeance was fully taken for the long silence and constraint, in which, by the authority of Laud and the high commission, these preachers had been retained. The press, freed from all fear or reserve, swarmed with productions, dangerous by their seditious zeal and calumny, more than by any art or eloquence of composition. Noise and fury, cant and hypocrisy, formed the sole rhetoric, which, during this tumult of various prejudices and passions, could be heard or attended to.

The sentence, which had been executed against Prynne, Bastwic, and Burton, now suffered a revisal from parliament. These libellers, far from being tamed by the rigorous punishments which they had undergone, showed still a disposition of repeating their offence; and the ministers were afraid, lest new satires should issue from their prisons, and still farther inflame the prevailing discontents. By an order, therefore, of council, they had been carried to remote prisons; Bastwic to Scilly, Prynne to Jersey, Burton to Guernsey; all access to them was denied; and the use of books, and of pen, ink, and paper, was refused them. The sentence for these additional punishments was immediately reversed, in an arbitrary manner by the commons: Even the first sentence, upon examination, was declared illegal: And the judges, who passed it, were ordered to make reparation to the sufferers [z]. When the prisoners landed in England, they

[z] Nalson, vol. i. p. 783. May, p. 79.

were received and entertained with the higheſt demonſtrations of affection, were attended by a mighty confluence of company, their charges were borne with great magnificence, and liberal preſents beſtowed on them. On their approach to any town, all the inhabitants crowded to receive them, and welcomed their reception with ſhouts and acclamations. Their train ſtill encreaſed, as they drew nigh to London. Some miles from the city, the zealots of their party met them in great multitudes, and attended their triumphant entrance: Boughs were carried in this tumultuous proceſſion; the roads were ſtrewed with flowers; and amidſt the higheſt exultations of joy, were intermingled loud and virulent invectives againſt the prelates, who had ſo cruelly perſecuted ſuch godly perſonages [a]. The more ignoble theſe men were, the more ſenſible was the inſult upon royal authority, and the more dangerous was the ſpirit of diſaffection and mutiny, which it diſcovered among the people.

LILBURNE, Leighton, and every one that had been puniſhed for ſeditious libels during the preceding adminiſtration, now recovered their liberty, and were decreed damages from the judges and miniſters of juſtice [b].

NOT only the preſent diſpoſition of the nation enſured impunity to all libellers: A new method of framing and diſperſing libels was invented by the leaders of popular diſcontent. Petitions to parliament were drawn, craving redreſs againſt particular grievances; and when a ſufficient number of ſubſcriptions were procured, the petitions were preſented to the commons, and immediately publiſhed. Theſe petitions became ſecret bonds of aſſociation among the ſubſcribers, and ſeemed to give undoubted ſanction and authority to the complaints, which they contained.

IT is pretended by hiſtorians favourable to the royal cauſe [c], and is even aſſerted by the king himſelf in a declaration [d], that a moſt diſingenuous or rather criminal practice prevailed, in conducting many of theſe addreſſes. A petition was firſt framed; moderate, reaſonable, ſuch as men of character willingly ſubſcribed. The names were afterwards torn off, and affixed to another petition, which ſerved better the purpoſes of the popular faction. We may judge of the wild fury which prevailed throughout the nation, when ſo ſcandalous an impoſture, which affected ſuch numbers of people, could be openly practiſed, without drawing infamy and ruin upon the managers.

SO many grievances were offered, both by the members, and by petitions without doors, that the houſe was divided into above forty committees, charged, each of them, with the examination of ſome particular viola-

[a] Clarendon, vol. i. p. 199, 200, &c. Nalſon, vol. i. p. 570. May, p. 80.
[b] Ruſh. vol. v. p. 228. Nalſon, vol. i. p. 800.
[c] Dugdale. Clarendon. vol. i. p. 203. [d] Huſb. Col. p. 536.

tion of law and liberty, which had been complained of. Beſides the general committees of religion, trade, privileges, laws; many ſubdiviſions of theſe were framed, and a ſtrict ſcrutiny was every where carried on. It is to be remarked, that, before the beginning of this century, when the commons aſſumed leſs influence and authority, complaints of grievances were uſually preſented to the houſe, by any members who had particular opportunity of obſerving them. Theſe general committees, which were a kind of inquiſitorial courts, had not then been eſtabliſhed; and we find, that the king, in a former declaration [c], complains loudly of this innovation, ſo little favourable to royal authority. But never was ſo much multiplied, as at preſent, the uſe of theſe committees; and the commons, though themſelves the greateſt innovators, employed the uſeful artifice of complaining againſt innovations, and pretending to recover the ancient and eſtabliſhed government.

FROM the reports of their committees, the houſe daily paſſed votes, which mortified and aſtoniſhed the court, and inflamed and animated the nation. Ship-money was declared illegal and arbitrary; the ſentence againſt Hambden cancelled; the court of York aboliſhed; compoſitions for knighthood ſtigmatized; the enlargement of the foreſts condemned; patents for monopolies annulled; and every late meaſure of adminiſtration treated with reproach and obloquy. To-day, a ſentence of the ſtar-chamber was exclaimed againſt: To morrow, a decree of the high commiſſion. Every diſcretionary act of council was repreſented as arbitrary and tyrannical; and the general inference was ſtill inculcated, that a formed deſign had been laid to ſubvert the laws and conſtitution of the kingdom.

FROM neceſſity, the king remained entirely paſſive during all theſe violent operations. The few ſervants, who continued faithful to him, were ſeized with aſtoniſhment at the rapid progreſs made by the commons in power and popularity, and were glad, by their unactive inoffenſive behaviour, to compound for impunity. The torrent riſing to ſo dreadful and unexpected a height, deſpair ſeized all thoſe, who from intereſt or habit were moſt attached to monarchy. And as for thoſe, who maintained their duty to the king merely from regard to the conſtitution, they ſeemed by their concurrence to ſwell that inundation, which began already to deluge every thing. "You have taken the whole machine of government "in pieces," ſaid Charles in a diſcourſe to the parliament; "a practice "frequent with ſkilful artiſts, when they deſire to clear the wheels from "any ruſt, which may have grown upon them. The engine," continued he, "may again be reſtored to its former uſe and motions, provided it be "put up entire; ſo as not a pin of it be wanting." But this was far

[c] Publiſhed on diſſolving the third parliament. See parl. Hiſt. vol. viii. p. 347.

from the intention of the commons. The machine, they thought with ſome reaſon, was incumbered with many wheels and ſprings, which retarded and croſſed its operations, and deſtroyed its utility. Happy! had they proceeded with moderation, and been contented, in their preſent plenitude of power, to remove ſuch parts only as might juſtly be deemed ſuperfluous and incongruous.

In order to maintain that high authority, which they had acquired, the commons, beſides confounding and overawing their opponents, judged it requiſite to inſpire courage into their friends and adherents: particularly into the Scots, and the religious puritans, to whoſe aſſiſtance and good offices they were already ſo much beholden.

No ſooner were the Scots maſters of the northern counties, than they laid aſide their firſt profeſſions, which they had not indeed means to ſupport, of paying for every thing; and in order to prevent the deſtructive expedient of plunder and free quarters, the country conſented to give them a regular contribution of 850 pounds a day, in full of their ſubſiſtence[f]. The parliament, that they might relieve the northern counties from ſo grievous a burthen, agreed to remit pay to the Scottiſh, as well as to the Engliſh army; and becauſe ſubſidies would be levied too ſlowly for ſo urgent an occaſion, money was borrowed from the citizens upon the ſecurity of particular members. Two ſubſidies, a very ſmall ſum[g], were at firſt voted; and as the intention of this ſupply was to indemnify the members, who, by their private, had ſupported public credit, this pretence was immediately laid hold of, and the money was ordered to be paid, not into the treaſury, but to commiſſioners appointed by parliament: A practice, which as it diminiſhed the authority of the crown, was willingly embraced, and was afterwards continued by the commons, with regard to every branch of revenue, which they granted to the king. The invaſion of the Scots had evidently been the cauſe of aſſembling the parliament: The preſence of their army reduced the king to that total ſubjection, in which he was now held: The commons, for this reaſon, openly profeſſed their intention of retaining theſe invaders, till all their own enemies ſhould be ſuppreſſed, and all their purpoſes effected. *We cannot yet ſpare the Scots*, ſaid Strode plainly in the houſe; *the ſons of Zeruiah are ſtill too ſtrong for us*[h]: An alluſion to a paſſage of ſcripture, according to the mode of that age. Eighty thouſand pounds a month were requiſite for the ſubſiſtence of the two armies; a ſum, much greater, than the ſubject had ever been accuſtomed, in any former period, to pay to the public. And though ſeveral ſubſidies, together with a poll-tax, were from time to time voted to

[f] Ruſhworth, vol. iii. p. 1295.

[g] It appears, that a ſubſidy was now fallen to 50,000 pounds.

[h] Dugdale, p. 71.

anſwer the charge; the commons ſtill took care to be in debt, in order to render the continuance of the ſeſſion the more neceſſary.

THE Scots being ſuch uſeful allies to the malecontent party in England, no wonder they were courted with the moſt unlimited complaiſance and the moſt important ſervices. The king having, in his firſt ſpeech, called them *rebels*, obſerved that he had given great offence to the parliament; and he was immediately obliged to ſoften and even retract the expreſſion. The Scottiſh commiſſioners, of whom the moſt conſiderable were the earl of Rothes and lord Loudon, found every advantage in conducting their treaty; yet made no haſte in bringing it to an iſſue. They were lodged in the city, and kept an intimate correſpondence, as well with the magiſtrates, who were extremely diſaffected, as with the popular leaders in both houſes. St. Antholine's church was aſſigned them for their devotions; and their chaplains, here, began openly to practiſe the preſbyterian form of worſhip, which, except in foreign languages, had never hitherto been allowed any indulgence or toleration. So violent was the general propenſity towards this new religion, that multitudes of all ranks crowded to the church. Thoſe, who were ſo happy as to find acceſs early in the morning, kept their places the whole day: Thoſe who were excluded, clung to the doors or windows, in hopes of catching, at leaſt, ſome diſtant murmur or broken phraſes of the holy rhetoric [i]. All the eloquence of parliament, now well refined from pedantry, animated with the ſpirit of liberty, and employed in the moſt important intereſts, was not attended to with ſuch inſatiable avidity, as were theſe lectures, delivered with ridiculous cant, and a provincial accent, full of barbariſm and of ignorance.

THE moſt effectual expedient for paying court to the zealous Scots was to promote the preſbyterian diſcipline and worſhip throughout England and to this innovation, the popular leaders among the commons, as well as their more devoted partizans, were of themſelves ſufficiently inclined. The puritanical party, whoſe progreſs, though ſecret, had hitherto been gradual in the kingdom, taking advantage of the preſent diſorders, began openly to profeſs their tenets, and to make furious attacks on the eſtabliſhed religion. The prevalence of that ſect in the parliament diſcovered itſelf, from the beginning, by inſenſible, but deciſive ſymptoms. Marſhall and Burgeſs, two puritanical clergymen, were choſen to preach before them, and entertained them with diſcourſes ſeven hours in length [k]. It being the cuſtom of the houſe always to take the ſacrament before they enter upon buſineſs, they ordered, as a neceſſary preliminary, that the communion table ſhould be removed from the eaſt end of St. Margaret's into the middle of the area [l]. The name of the *ſpiritual lords* was commonly left out in

[i] Clarendon, vol. i. p. 189. [k] Nalſon. vol. i. p. 530. 533. [l] Idem, ibid. p. 537.

acts of parliament; and the laws ran in the name of the king, lords, and commons. The clerk of the upper house, in reading bills, turned his back on the bench of bishops; nor was his insolence ever taken notice of. On a day appointed for a solemn fast and humiliation, all the orders of temporal peers contrary to former practice, in going to church, took place of the spiritual, and Lord Spencer remarked, that the humiliation, that day, seemed confined alone to the prelates.

1640. The bishops attacked.

EVERY meeting of the commons produced some vehement harangue against the usurpations of the bishops, against the high commission, against the late convocation, against the new canons. So disgusted were all lovers of civil liberty at the doctrines promoted by the clergy, that these invectives were received without controul; and no distinction, at first, appeared between such as desired only to repress the exorbitancies of the hierarchy, and such as pretended totally to annihilate episcopal jurisdiction. Encouraged by these favourable appearances, petitions against the church were framed in different parts of the kingdom. The epithet of the ignorant and vicious priesthood was commonly applied to all churchmen, addicted to the established discipline and worship; though the episcopal clergy in England, during that age, seem to have been, as they are at present, sufficiently learned and exemplary. An address against episcopacy was presented by twelve clergymen to the committee of religion, and pretended to be signed by many hundreds of the puritanical persuasion. But what made most noise was the city petition for a total alteration of church government; a petition to which 15,000 subscriptions were annexed, and which was presented by Alderman Pennington, the city member [m]. It is remarkable, that, among the many ecclesiastical abuses there complained of, an allowance, given by the licencers of books, to publish a translation of Ovid's Art of Love, is not forgotten by these rustic censors [n].

NOTWITHSTANDING the favourable disposition of the people, the leaders in the house resolved to proceed with caution. They introduced a bill for prohibiting all clergymen the exercise of any civil office. As a consequence, the bishops were to be deprived of their seats in the house of peers; a measure not unacceptable to the zealous friends of liberty, who observed, with regret, the devoted attachment of that order to the will of the monarch. But when this bill was presented to the peers, it was rejected by a great majority [o]: The first check which the commons had received in their popular career, and a prognostic of what they might afterwards expect from the upper house, whose inclinations and interests could never be totally separated from the throne. But, to show how little they

[m] Clarendon, vol. i. p. 203. Whitlocke, p. 37. Nalson, vol. i. p. 666. [n] Rush. vol. v. p. 171. [o] Clarendon, vol. i. p. 237.

were diſcouraged, the puritans immediately brought in another bill for the total abolition of epiſcopacy; though they thought proper to let that bill ſleep at preſent, in expectation of a more favourable opportunity of reviving it [p].

AMONG other acts of regal executive power, which the commons were every day aſſuming, they iſſued orders for demoliſhing all images, altars, crucifixes. The zealous Sir Robert Harley, to whom the execution of theſe orders was committed, removed all croſſes even out of ſtreets and markets; and, from his abhorrence of that ſuperſtitious figure, would not any-where allow one piece of wood or ſtone to lie over another at right angles [q].

THE biſhop of Ely and other clergymen were attacked on account of innovations [r]. Cozens, who had long been obnoxious, was expoſed to new cenſures. This clergyman who was dean of Peterborough, was extremely zealous for eccleſiaſtical ceremonies: And ſo far from permitting the communicants to break the ſacramental bread with their fingers; a privilege on which the puritans ſtrenuouſly inſiſted; he would not ſo much as allow it to be cut with an ordinary houſehold inſtrument. A conſecrated knife muſt perform that ſacred office, and muſt never afterwards be profaned by any vulgar ſervice [s].

COZENS likewiſe was accuſed of having ſaid, *The king has no more authority in eccleſiaſtical matters, than the boy who rubs my horſe's heels* [t]. The expreſſion was violent: But it is certain, that all thoſe high churchmen, who were ſo induſtrious in reducing the laity to ſubmiſſion, were extremely fond of their own privileges and independency, and were deſirous of exempting the mitre from all ſubjection to the crown.

A COMMITTEE was elected by the lower houſe, as a court of inquiſition upon the clergy, and was commonly denominated the committee of *ſcandalous miniſters*. The politicians among the commons were apprized of the great importance of the pulpit for guiding the people; the bigots were enraged againſt the prelatical clergy; and both of them knew that no eſtabliſhed government could be overthrown by ſtrictly obſerving the principles of juſtice, equity, or clemency. The proceedings, therefore, of this famous committee, which continued for ſeveral years, were cruel and arbitrary, and made great havoc both on the church and the univerſities. They began with haraſſing, impriſoning, and moleſting the clergy; and ended with ſequeſtrating and ejecting them. In order to join contumely to cruelty, they

[p] Clarendon, p. 237. [q] Whitlocke, p. 45. [r] Ruſhworth, vol. v. p. 351.
[s] ibid. p. 203. [t] Parl. Hiſt. vol. vii. p. 282. Ruſhworth, vol. v. p. 209.

gave the ſufferers the epithet of *ſcandalous*, and endeavoured to render them as odious as they were miſerable [u]. The greateſt vices, however, which they could reproach to a great part of them, were, bowing at the name of Jeſus, placing the communion table in the eaſt, reading the king's orders for ſports on Sunday, and other practices, which the eſtabliſhed government, both in church and ſtate, had ſtrictly enjoined them.

IT may be worth obſerving, that all hiſtorians, who lived near that age, or what perhaps is more deciſive, all authors, who have caſually made mention of thoſe public tranſactions, ſtill repreſent the civil diſorders and convulſions, as proceeding from religious controverſy, and conſider the political diſputes about power and liberty as entirely ſubordinate to the other. It is true, had the king been able to ſupport government, and at the ſame time, to abſtain from all invaſion of national privileges, it ſeems not probable, that the puritans ever could have acquired ſuch authority as to overturn the whole conſtitution: Yet ſo entire was the ſubjection into which Charles was now fallen, that, had not the wound been poiſoned by the infuſion of theological hatred it muſt have admitted of an eaſy remedy. Diſuſe of parliaments, impriſonments and proſecution of members, ſhip-money, an arbitrary adminiſtration; theſe were loudly complained of: But the grievances which tended chiefly to inflame the parliament and nation, eſpecially the latter, were the ſurplice, the rails placed abou the altar, the bows exacted on approaching it, the liturgy, the breach of the ſabbbath, embroidered copes, lawn ſleeves, the uſe of the ring in marriage, and of the croſs in baptiſm. On account of theſe, were the popular leaders content to throw the government into ſuch violent convulſions; and, to the diſgrace of that age, and of this iſland, it muſt be acknowledged, that the diſorders in Scotland entirely, and thoſe in England moſtly, proceeded from ſo mean and contemptible an origin [w].

SOME perſons, partial to the patriots of this age, have ventured to put them in a balance with the moſt illuſtrious characters of antiquity; and mentioned the names of Pym, Hambden, Vane, as a juſt parallel to thoſe of Cato, Brutus, Caſſius. Profound capacity, indeed, undaunted courage, extenſive enterprize; in theſe particulars, perhaps, the Roman do not much ſurpaſs the Engliſh worthies: But what a difference, when the diſ-

[u] Clarendon, vol. i. p. 199. Whitlocke, p. 122. May, p. 81.

[w] Lord Clarendon, vol. i. p. 233, ſays, that the parliamentary party were not agreed about the entire abolition of epiſcopacy: They were only the *root and branch men*, as they were called, who inſiſted on that meaſure. But thoſe who were willing to retrain biſhops, inſiſted on reducing their authority to a low ebb; as well as on aboliſhing the ceremonies of worſhip and veſtments of the clergy. The controverſy, therefore between the parties was almoſt wholly theological, and that of the moſt frivolous and ridiculous kind.

courſe, conduct, converſation, and private as well as public behaviour, of both are inſpected! Compare only one circumſtance, and conſider its conſequences. The leiſure of thoſe noble ancients was totally employed in the ſtudy of Grecian eloquence and philoſophy; in the cultivation of polite letters and civilized ſociety: The whole diſcourſe and language of the moderns were polluted with myſterious jargon, and full of the loweſt and moſt vulgar hypocriſy.

THE laws, as they ſtood at preſent, protected the church; but they expoſed the catholics to the utmoſt rage of the puritans; and theſe unhappy religioniſts, ſo obnoxious to the prevailing ſect, could not hope to remain long unmoleſted. The voluntary contribution which they had made, in order to aſſiſt the king in his war againſt the Scottiſh covenanters, was enquired into, and repreſented as the greateſt enormity [x]. By an addreſs from the commons, all officers of that religion were removed from the army, and application was made to the king, for ſeizing two thirds of the lands of recuſants; a proportion to which, by law, he was intitled, but which he had always allowed them to poſſeſs upon eaſy compoſitions. The execution of the ſevere and bloody laws againſt prieſts was inſiſted on: And one Goodman, a jeſuit, who was found in priſon, was condemned to a capital puniſhment. Charles, however, agreeably to his uſual principles, ſcrupled to ſign the warrant for his execution; and the commons expreſſed great reſentment on the occaſion [y]. There remains a ſingular petition of Goodman, begging to be hanged, rather than prove a ſource of contention between the king and his people [z]. He eſcaped with his life; but it ſeems more probable, that he was overlooked, amidſt affairs of greater conſequence, than that ſuch unrelenting hatred would be ſoftened by any conſideration of his courage and generoſity.

FOR ſome years, Con, a Scotchman; afterwards, Roſetti, an Italian, had openly reſided at London, and frequented the court, as veſted with a commiſſion from the Pope. The queen's zeal, and her authority with her huſband, had been the cauſe of this imprudence, ſo offenſive to the nation [a]. But the ſpirit of bigotry now roſe too high to permit any longer ſuch indulgences [b].

HAYWARD, a juſtice of peace, having been wounded, when employed in

[x] Ruſhworth. vol. v. p. 160. [y] Idem, ibid. p. 158, 159. Nalſon, vol. i. p. 749.
[z] Ruſhworth, vol. v. p. 166. Nalſon, vol. i. p. 749.
[a] It is known from the Clarendon papers, that the king had alſo an authorized agent who reſided at Rome. His name was Bret, and his chief buſineſs was to negociate with the pope concerning indulgences to the catholics, and to engage the catholics, in return, to be good and loyal ſubjects. But this whole matter, though very innocent, was moſt carefully kept ſecret. The king ſays, that he believed Bret to be as much his as any papiſt could be. See p. 348, 354.
[b] Ruſhworth. vol. v. p. 301.

the exercise of his office, by one James a catholic madman, this enormity was ascribed to the popery, not to the phrenzy, of the assassin; and great alarms seized the nation and parliament [c]. An universal conspiracy of the papists was supposed to have taken place: and every man, for some days, imagined that he had a sword at his throat. Though some persons of family and distinction were still attached to the catholic superstition; it is certain that the numbers of that sect did not amount to the fortieth part of the nation: And the frequent panics to which men during this period, were so subject on account of the catholics, were less the effects of fear, than of extreme rage and aversion entertained against them.

THE queen mother of France, having been forced into banishment by some court-intrigues, had retired into England; and expected shelter, amidst her present distresses, in the dominions of her daughter and son-in-law. But though she behaved in the most inoffensive manner, she was insulted by the populace on account of her religion; and was even threatened with worse treatment. The earl of Holland, lieutenant of Middlesex, had ordered a hundred musqueteers to guard her; but finding that they had imbibed the same prejudices with the rest of their countrymen, and were unwillingly employed in such a service, he laid the case before the house of peers: For the king's authority was now entirely annihilated. He represented the indignity of the action, that so great a princess, mother to the king of France, and to the queens of Spain and England, should be affronted by the multitude. He observed the indelible reproach which would fall upon the nation, if that unfortunate queen should suffer any violence from the misguided zeal of the people. He urged the sacred rights of hospitality due to every one, much more to a person in distress, of so high a rank, with whom the nation was so nearly connected. The peers thought proper to communicate the matter to the commons, whose authority over the people was absolute. The commons agreed to the necessity of protecting the queen mother; but at the same time prayed that she might be desired to depart the kingdom: "For the quieting those "jealousies in the hearts of his majesty's well affected subjects, occasioned "by some ill instruments about that queen's person, by the flowing of "priests and papists to her house, and by the use and practice of the ido-"latry of the mass, and exercise of other superstitious services of the "Romish church, to the great scandal of true religion [d]."

CHARLES, in the former part of his reign, had endeavoured to overcome the intractable and encroaching spirit of the commons, by a perseverence in his own measures, by a stately dignity of behaviour, and by maintaining, at their utmost

[c] Clarendon, vol. i. p. 249. Rushworth, vol. v. p. 57. [d] Rushworth, vol. i. p. 467.

height, and even perhaps ſtretching beyond former precedent, the rights of his prerogative. Finding by experience, how unſucceſsful thoſe meaſures had proved, and obſerving the low condition to which he was now reduced, he reſolved to alter his whole conduct, and to regain the confidence of his people, by pliableneſs, by conceſſions, and by a total conformity to their inclinations and prejudices. It may ſafely be averred, that this new extreme into which the king, for want of proper counſel or ſupport, was fallen, became no leſs dangerous to the conſtitution, and pernicious to public peace, than the other, in which he had ſo long and ſo unfortunately perſevered.

1640. Tonnage and poundage.

THE pretenſions with regard to tonnage and poundage were revived, and with certain aſſurance of ſucceſs by the commons [c]. The levying of theſe duties, as formerly, without conſent of parliament, and even encreaſing them at pleaſure, was ſuch an incongruity in a free conſtitution, where the people, by their fundamental privileges, cannot be taxed but by their own conſent, as could no longer be endured by theſe jealous patrons of liberty. In the preamble, therefore, to the bill, by which the commons granted theſe duties to the king, they took care, in the ſtrongeſt and moſt poſitive terms, to aſſert their own right of beſtowing this gift, and to diveſt the crown of all independent title of aſſuming it. And that they might encreaſe, or rather finally fix, the entire dependence and ſubjection of the king, they voted theſe duties only for two months; and afterwards, from time to time, renewed their grant for very ſhort periods [f]. Charles, in order to ſhow that he entertained no intention ever again to ſeparate himſelf from his parliamant, paſſed this important bill, without any ſcruple or heſitation [g].

Triennial bill.

WITH regard to the bill for triennial parliaments, he made a little difficulty. By an old ſtatute, paſſed during the reign of Edward III. it had been enacted that parliaments ſhould be held once every year, or more frequently, if neceſſary: But as no proviſion had been made in caſe of failure, and no preciſe method

[c] It appears not that the commons, though now entirely maſters, abolished the new impoſitions of James, againſt which they had formerly ſo loudly complained: A certain proof that the rates of cuſtoms, ſettled by that prince, were in moſt inſtances juſt, and proportioned to the new price of commodities. They ſeem rather to have been low. See Journ. 10th Aug. 1625.

[f] It was an inſtruction given by the houſe to the committee which farmed one of theſe bills, to take care that the rates upon exportation may be as light as poſſible: and upon importation, as heavy as trade will bear: A proof that the nature of commerce began now to be underſtood. Journ the 1 June, 1641.

[g] Clarendon, vol. i. p. 308.

pointed out for execution; this ſtatute had been conſidered merely as a general declaration, and was diſpenſed with at pleaſure. The defect was ſupplied by thoſe vigilant patriots, who now aſſumed the reins of government. It was enacted, that if the chancellor who was firſt bound under ſevere penalties, failed to iſſue writs by the third of September in every third year, any twelve or more of the peers ſhould be impowered to exert this authority: In default of the peers, that the ſheriffs, mayors, baillifs, &c. ſhould ſummon the voters: And in their default, that the voters themſelves ſhould meet and proceed to the election of members, in the ſame manner as if writs had been regularly iſſued from the crown. Nor could the parliament, after it was aſſembled, be adjourned, prorogued or diſſolved, without their own conſent, during the ſpace of fifty days. By this bill, ſome of the nobleſt and moſt valuable prerogatives of the crown were retrenched: but at the ſame time, nothing could be more neceſſary than ſuch a ſtatute, for completing a regular plan of law and liberty. A great reluctance to aſſemble parliaments muſt be expected in the king; where theſe aſſemblies, as of late, eſtabliſh it as a maxim to carry their ſcrutiny into every part of government. During long intermiſſions of parliament, grievances and abuſes, as was found by recent experience, would naturally creep in; and it would even become neceſſary for the king and council to exert a great diſcretionary authority, and, by acts of ſtate, to ſupply in every emergence, the legiſlative power, whoſe meeting was ſo uncertain and precarious. Charles, finding that nothing leſs would ſatisfy his parliament and people, at laſt gave his aſſent to this bill, which produced ſo great an innovation in the conſtitution [h]. Solemn thanks were preſented him by both houſes. Great rejoicings were expreſſed both in the city and throughout the nation. And mighty profeſſions were every where made of gratitude and mutual returns of ſupply and confidence. This conceſſion of the king, it muſt be owned, was not entirely voluntary: It was of a nature too important to be voluntary. The ſole inference, which his partizans were entitled to draw from the ſubmiſſions ſo frankly made to preſent neceſſity, was, that he had certainly adopted a new plan of government, and for the future, was reſolved, by every indulgence, to acquire the confidence and affections of his people.

CHARLES thought, that what conceſſions were made to the public were of little conſequence, if no gratifications were beſtowed on individuals, who had acquired the direction of public counſels and determinations. A change of miniſters, as well as of meaſures, was therefore reſolved on. In one day ſeveral new privy-counſellors were ſworn; the earls of Hertford, Bedford, Eſſex; Briſtol; the lords, Say, Saville, Kimbolton: Within

[h] Clarendon, vol. i. p. 209. Whitlocke, p. 39. Ruſhworth, vol. v. p. 189.

a few days after, was admitted the earl of Warwic [i]. All theſe noblemen were of the popular party; and ſome of them afterwards, when matters were puſhed to extremities by the commons, proved the greateſt ſupport of monarchy.

JUXON, biſhop of London, who had never deſired the treaſurer's ſtaff, now earneſtly ſolicited for leave to reſign it, and retire to the care of that turbulent dioceſe, committed to him. The king gave his conſent; and it is remarkable that, during all the ſevere enquiries carried on againſt the conduct of miniſters and prelates, the mild and prudent virtues of this man, who bore both theſe invidious characters, remained unmoleſted [k]. It was intended, that Bedford, a popular man, of great authority, as well as wiſdom and moderation, ſhould ſucceed Juxon: But that nobleman, unfortunately both for king and people, died about this very time. By ſome promotions place was made for St. John, who was created ſolicitor general. Hollis was to be made ſecretary of State, in the room of Windebank, who had fled: Pym, chancellor of the exchequer, in the room of lord Cottington, who had reſigned: Lord Say, maſter of the wards, in the room of the ſame nobleman: The earl of Eſſex, governor; and Hambden, tutor to the prince [l].

WHAT retarded the execution of theſe projected changes was the difficulty of ſatisfying all thoſe, who, from their activity and authority in parliament, had pretenſions for offices, and who ſtill had it in their power to embarraſs and diſtreſs the public meaſures. Their aſſociates too in popularity, whom the king intended to diſtinguſh by his favour, were unwilling to undergo the reproach of having driven a ſeparate bargain, and of ſacrificing to their own ambitious views the cauſe of the nation. And as they were ſenſible that they muſt owe their preferment entirely to their weight and conſideration in parliament, they were moſt of them reſolved ſtill to adhere to that aſſembly, and both to promote its authority, and to preſerve their own credit in it. On all occaſions, they had no other advice to give the king, than to allow himſelf to be directed by his great council; or, in other words to reſign himſelf paſſively to their guidance and government. And Charles found, that inſtead of acquiring friends by the honours and offices which he ſhould beſtow, he ſhould only arm his enemies with more power to hurt him.

THE end, on which the king was moſt intent in changing miniſters, was, to ſave the life of the earl of Strafford, and to mollify, by theſe indulgences, the rage of his moſt furious proſecutors. But ſo high was that nobleman's reputation for experience and capacity, that all the new counſellors

i Clarendon, vol. i. p. 195.
k Warwick, p. 95.
l Clarendon, vol. i. p. 210, 211.

and intended miniſters plainly ſaw, that, if he eſcaped their vengeance, he muſt return into favour and authority; and they regarded his death as the only ſecurity which they could have, both for the eſtabliſhment of their preſent power, and for ſucceſs in their future enterprizes. His impeachment, therefore, was puſhed on with the utmoſt vigour; and, after long and ſolemn preparations, was brought to a final iſſue.

1640. Strafford's trial.

IMMEDIATELY after Strafford was ſequeſtrated from parliament, and confined in the Tower, a committee of thirteen was choſen by the lower houſe, and entruſted with the office of preparing a charge againſt him. Theſe, joined to a ſmall committee of lords, were veſted with authority to examine all witneſſes, to call for every paper, and to uſe any means of ſcrutiny with regard to any part of the earl's behaviour and conduct [m]. After ſo general and unbounded an inquiſition, exerciſed by ſuch powerful and implacable enemies; a man muſt have been very cautious or very innocent not to afford, during the whole courſe of his life, ſome matter of accuſation againſt him.

THIS committee, by direction from both houſes, took an oath of ſecrecy; a practice very unuſual, and which gave them the appearance of conſpirators, more than miniſters of juſtice [n]. But the intention of this ſtrictneſs was to render it more difficult for the earl to elude their ſearch, or prepare for his juſtification.

APPLICATION was made to the king, that he would allow this committee to examine privy counſellors with regard to opinions delivered at the board; A conceſſion which Charles unwarily made, and which thenceforth baniſhed all mutual confidence from the deliberations of council; where every man is ſuppoſed to have entire freedom, without fear of future puniſhment or enquiry, of propoſing any expedient, queſtioning any opinion or ſupporting any argument [o].

SIR George Ratcliffe, the earl's intimate friend and confident, was accuſed of high treaſon, ſent for from Ireland, and committed to cloſe cuſtody. As no charge ever appeared or was proſecuted againſt him, it is impoſſible to give a more charitable interpretation to this meaſure, than that the commons thereby intended to deprive Strafford, in his preſent diſtreſs, of the aſſiſtance of his beſt friend, who was moſt enabled, by his teſtimony, to juſtify the innocence of his patron's conduct and behaviour [p].

WHEN intelligence arrived in Ireland of the plans laid for Strafford's

[m] Clarendon, vol. i. p. 192. [n] Whitlocke, p. 37. [o] Clarendon, vol. i. p. 193. [p] Idem, vol. i. p. 214.

ruin, the Iriſh houſe of commons, though they had very lately beſtowed ample praiſes on his adminiſtration, entered into all the violent counſels againſt him, and prepared a repreſentation of the miſerable ſtate, into which by his miſconduct, they ſuppoſed the kingdom to be fallen. They ſent over a committee to London, to aſſiſt in the proſecution of their unfortunate governor; and by intimations from this committee, who entered into cloſe confederacy with the popular leaders in England, was every meaſure of the Iriſh parliament governed and directed. Impeachments, which were never proſecuted, were carried up againſt Sir Richard Bolton the chancellor, Sir Gerard Louther chief juſtice, and Bramhall biſhop of Derry [q]. This ſtep, which was an exact counterpart to the proceedings in England, ſerved alſo the ſame purpoſes: It deprived the king of the miniſters whom he moſt truſted; it diſcouraged and terrified all the other miniſters; and it prevented thoſe perſons, who were beſt acquainted with Strafford's counſels, from giving evidence in his favour before the Engliſh parliament.

1641. THE biſhops, being forbidden by the ancient canons to aſſiſt in trials for life, and being unwilling, by any oppoſition, to irritate the commons, who were already much prejudiced againſt them, thought proper of themſelves to withdraw [r]. The commons alſo voted, that the new created peers ought to have no voice in this trial; becauſe the accuſation being agreed to, while they were commoners, their conſent to it was implied with that of all the commons of England. Notwithſtanding this deciſion, which was meant only to deprive Strafford of ſo many friends, lord Seymour, and ſome others, ſtill continued to keep their ſeats; nor was their right to it any farther queſtioned [s].

To beſtow the greater ſolemnity on this important trial, ſcaffolds were erected in Weſtminſter-hall; where both houſes ſat, the one as accuſers, the other as judges. Beſides the chair of ſtate, a cloſe gallery was prepared for the king and queen, who attended during the whole trial [t].

AN accuſation, carried on by the united effort of three kingdoms, againſt one man, unprotected by power, unaſſiſted by counſel, diſcountenanced by authority, was likely to prove a very unequal conteſt: Yet ſuch were the capacity, genius, preſence of mind, diſplayed by this magnanimous ſtateſman, that, while argument and reaſon, and law had any place, he obtained an undiſputed victory. And he periſhed at laſt, overwhelmed and ſtill unſubdued, by the open violence of his fierce and unrelenting antagoniſts.

[q] Ruſh, vol. v. p. 214. [r] Clarendon, vol. i. p. 216. [s] Idem, ibid.
[t] Whitlocke, p. 40. Ruſh. vol. iv. p. 41. May, p. 90.

THE articles of impeachment againſt Strafford are twenty eight in number; and regard his conduct, as preſident of the council of York, as deputy or lieutenant of Ireland, and as counſellor or commander in England. But though four months were employed by the managers in framing the accuſation, and all Strafford's anſwers were extemporary; it appears from compariſon, not only that he was free from the crime of treaſon, of which there is not the leaſt appearance, but that his conduct, making allowance for human infirmities, expoſed to ſuch ſevere ſcrutiny, was innocent, and even laudable. 1641. March 22.

THE powers of the northern council, while he was preſident, had been extended, by the king's inſtructions, beyond what formerly had been practiſed: But that court being, at firſt, inſtituted by a ſtretch of royal prerogative, it had been uſual for the prince to vary his inſtructions; and the largeſt authority, committed to it, was altogether as legal as the moſt moderate and moſt limited. Nor was it reaſonable to conclude, that Strafford had uſed any art to procure thoſe extenſive powers; ſince he never once ſat as preſident, or exerciſed one act of juriſdiction, after he was inveſted with the authority ſo much complained of [u].

IN the government of Ireland, his adminiſtration had been equally promotive of his maſter's intereſts, and that of the ſubjects committed to his care. A large debt he had paid off: He had left a conſiderable ſum in the exchequer: The revenue, which never before anſwered the charges of government, was now raiſed to be equal to them [w]. A ſmall ſtanding army, formerly kept in no order, was augmented, and was governed by exact diſcipline: And a great force was there raiſed and paid, for the ſupport of the king's authority againſt the Scottiſh covenanters.

INDUSTRY, and all the arts of peace, were introduced among that rude people: The ſhipping of the kingdom augmented a hundred fold [x]: The cuſtoms tripled upon the ſame rates [y]: The exports double in value to the imports: Manufactures, particularly that of linen, introduced and promoted [z]. Agriculture, by means of the Engliſh and Scottiſh plantations, gradually advancing: The proteſtant religion encouraged, without the perſecution or diſcontent of the catholics.

THE ſprings of authority he had enforced without overſtraining them. Diſcretionary acts of juriſdiction, indeed, he had often exerted, by holding courts-martial, billeting ſoldiers, deciding cauſes upon paper-petitions before the council, iſſuing proclamations, and puniſhing their infraction. But diſcretionary authority, during that age, was uſually exerciſed even

[u] Ruſhworth, vol. iv. p. 145. [w] Ruſh. vol. iv. p. 120. 247. Warwick, p. 115. [x] Nalſon, vol. ii. p. 45. [y] Ruſh. vol. iv. p. 124. [z] Warwick, p. 115.

in England. In Ireland, it was ſtill more requiſite, among a rude people, not yet thoroughly ſubdued, averſe to the religion and manners of their conquerors, ready on all occaſions to relapſe into rebellion and diſorder. While the managers of the commons demanded, every moment, that the deputy's conduct ſhould be examined by the line of rigid law and ſevere principles; he appealed ſtill to the practice of all former deputies, and to the uncontroulable neceſſity of his ſituation.

So great was his art of managing elections, and balancing parties, that he had engaged the Iriſh parliament to vote whatever was neceſſary, both for the payment of former debts, and for ſupport of the new-levied army; nor had he ever been reduced to to the illegal expedients practiſed in England, for the ſupply of public neceſſities. No imputation of rapacity could juſtly lie againſt his adminiſtration. Some inſtances of imperious expreſſions, and even actions, may be met with. The caſe of lord Mountnorris, of all thoſe which were collected with ſo much induſtry, is the moſt flagrant and the leaſt excuſable.

IT had been reported at the table of lord chancellor Loftus, that Anneſley, one of the deputy's attendants, in moving a ſtool, had ſorely hurt his maſter's foot, who was at that time afflicted with the gout. *Perhaps*, ſaid Mountnorris, who was preſent at table, *it was done in revenge of that public affront which my lord deputy formerly put upon him: BUT HE HAS A BROTHER, WHO WOULD NOT HAVE TAKEN SUCH A REVENGE.* This caſual, and ſeemingly innocent, at leaſt ambiguous, expreſſion, was reported to Strafford; who, on pretence that ſuch a ſuggeſtion might prompt Anneſley to avenge himſelf in another manner, ordered Mountnorris, who was an officer, to be tried by a court-martial for mutiny and ſedition againſt his general. The court, which conſiſted of the chief officers of the army, found the crime to be capital, and condemned that nobleman to loſe his head. [a].

IN vain did Strafford plead, in his own defence, againſt this article of impeachment, that the ſentence of Mountnorris was the deed, and that too, unanimous, of the court, not the act of the deputy; that he ſpake not to a member of the court, nor voted in the cauſe, but ſat uncovered as a party, and then immediately withdrew, to leave them to their freedom; that ſenſible of the iniquity of the ſentence, he procured his majeſty's free pardon to Mountnorris; and that he did not even keep that nobleman a moment in ſuſpenſe with regard to his fate, but he inſtantly told him, that he himſelf would ſooner loſe his right hand than execute ſuch a ſentence, nor was his lordſhip's life in any danger. In vain did Strafford's friends add, as a further apology, that Mountnorris was a man of an infamous character, who paid court, by the loweſt adulation, to all deputies,

[a] Ruſh. vol. iv. p. 187

while preſent; and blackened their character, by the vileſt calumnies, when recalled: And that Strafford, expecting like treatment, had uſed this expedient for no other purpoſe than to ſubdue the petulant ſpirit of the man. Theſe excuſes alleviate the guilt; but there ſtill remains enough to prove, that the mind of the deputy, though great and firm, had been not a little debauched by the riot of abſolute power, and uncontrouled authority.

WHEN Strafford was called over to England, he found every thing falling into ſuch confuſion, by the open rebellion of the Scots, and the ſecret diſcontents of the Engliſh, that, if he had counſelled or executed any violent meaſure, he might perhaps have been able to apologize for his conduct, from the great law of neceſſity, which admits not, while the neceſſity is extreme, of any ſcruple, ceremony, or delay [b]. But in fact, no illegal advice or action was proved againſt him; and the whole amount of his guilt, during this period, was ſome peeviſh, or at moſt imperious, expreſſions, which, amidſt ſuch deſperate extremities, and during a bad ſtate of health, had unhappily fallen from him.

IF Strafford's apology was, in the main, ſo ſatisfactory, when he pleaded to each particular article of the charge, his victory was ſtill more deciſive, when he brought the whole together, and repelled the imputation of treaſon; the crime which the commons would infer from the full view of his conduct and behaviour. Of all the ſpecies of guilt, the law of England, had, with the moſt ſcrupulous exactneſs, defined that of treaſon; becauſe on that ſide it was found moſt neceſſary to protect the ſubject againſt the violence of the king and of his miniſters. In the famous ſtatute of Edward III. all the kinds of treaſon are enumerated, and every other crime, beſides ſuch as are there expreſsly mentioned, is carefully excluded from that appellation. But with regard to this guilt, *An endeavour to ſubvert the fundamental laws*, the ſtatute of treaſons is totally ſilent: And arbitrarily to introduce it into the fatal catalogue, is itſelf a ſubverſion of all law; and, under colour of defending liberty, reverſes a ſtatute the beſt calculated for the ſecurity of liberty, that had ever been enacted by an Engliſh parliament.

As this ſpecies of treaſon, diſcovered by the commons, is entirely new and unknown to the laws; ſo is the ſpecies of proof, by which they pretend to fix that guilt upon the priſoner. They have invented a kind of *accumulative* or *conſtructive* evidence, by which many actions either totally innocent in themſelves, or criminal in a much inferior degree, ſhall, when united, amount to treaſon, and ſubject the perſon to the higheſt penalties inflicted by the law. A haſty and unguarded word, a raſh and paſſionate

[b] Ruſh. vol. iv. p. 559.

action, assisted by the malevolent fancy of the accuser, and tortured by doubtful constructions, is transmuted into the deepest guilt; and the lives and fortunes of the whole nation, no longer protected by justice, are subjected to arbitrary will and pleasure.

"WHERE has this species of guilt lain so long concealed?" said Strafford in conclusion: "Where has this fire been so long buried, during so "many centuries, that no smoke should appear, till it burst out at once, "to consume me and my children? Better it were to live under no law at "all, and by the maxims of cautious prudence, to conform ourselves the "best we can, to the arbitrary will of a master; than fancy we have a "law on which we can rely, and find at last, that this law shall inflict a "punishment precedent to the promulgation, and try us by maxims un"heard of till the very moment of the prosecution. If I sail on the "Thames, and split my vessel on an anchor; in case there be no buoy to "give warning, the party shall pay me damages: But, if the anchor be "marked out, then is the striking on it at my own peril. Where is the "mark set upon this crime? Where the token by which I should discover "it? It has lain concealed, under water; and no human prudence, no "human innocence, could save me from the destruction with which I am "at present threatened.

"IT is now full two hundred and forty years since treasons were defined; and so long has it been, since any man was touched to this extent, "upon this crime, before myself. We have lived, my lords, happily to "ourselves at home: We have lived gloriously abroad to the world: Let "us be content with what our fathers have left us: Let not our ambition "carry us to be more learned than they were, in these killing and destructive arts. Great wisdom it will be in your lordships, and just provi"dence, for yourselves, for your posterities, for the whole kingdom, to "cast from you, into the fire, these bloody and mysterious volumes of ar"bitrary and constructive treasons, as the primitive Christians did their "books of curious arts, and betake yourselves to the plain letter of the "statute, which tells you where the crime is, and points out to you the "path by which you may avoid it.

"LET us not, to our own destruction, awake those sleeping lions, by "rattling up a company of old records, which have lain for so many ages, "by the wall, forgotten and neglected. To all my afflictions, add not "this, my lords, the most severe of any; that I, for my other sins, not for "my treasons, be the means of introducing a precedent, so pernicious to "the laws and liberties of my native country.

"HOWEVER these gentlemen at the bar say they speak for the common-

"wealth; and they believe ſo: Yet, under favour, it is I who, in this "particular, ſpeak for the commonwealth. Precedents, like thoſe which "are endeavoured to be eſtabliſhed againſt me, muſt draw along ſuch "inconveniences and miſeries; that, in a few years, the kingdom will be in "the condition expreſſed in a ſtatute of Henry IV.; and no man ſhall "know by what rule to govern his words and actions.

"IMPOSE not, my lords, difficulties inſurmountable upon miniſters of "ſtate, nor diſable them from ſerving with cheerfulneſs their king and "country. If you examine them, and under ſuch ſevere penalties, by "every grain, by every little weight; the ſcrutiny will be intolerable. "The public affairs of the kingdom muſt be left waſte; and no wiſe man, "who has any honour or fortune to loſe, will ever engage himſelf in ſuch "dreadful, ſuch unknown perils.

"MY lords, I have now troubled your lordſhips a great deal longer "than I ſhould have done. Were it not for the intereſt of theſe pledges, "which a ſaint in heaven left me, I ſhould be loth"—Here he pointed to his children, and his weeping ſtopped him.—"What I forfeit for myſelf, "it is nothing: But, I confeſs, that my indiſcretion ſhould forfeit for "them, it wounds me very deeply. You will be pleaſed to pardon my "infirmity: Something I ſhould have ſaid; but I ſee I ſhall not be able, "and therefore I ſhall leave it.

"AND now, my lords, I thank God, I have been, by his bleſſing, ſuf- "ficiently inſtructed in the extreme vanity of all temporary enjoyments, "compared to the importance of our eternal duration. And ſo, my lords, "even ſo, with all humility, and with all tranquillity of mind, I ſubmit, "clearly and freely, to your judgments: And whether that righteous "doom ſhall be to life or death, I ſhall repoſe myſelf, full of gratitude "and confidence, in the arms of the great Author of my exiſtence [c]."

CERTAINLY, ſays Whitlocke [d], with his uſual candor, *never any man acted ſuch a part, on ſuch a theatre, with more wiſdom, conſtancy, and eloquence, with greater reaſon, judgment, and temper, and with a better grace in all his words and actions, than did this great and excellent perſon; and he moved the hearts of all his auditors, ſome few excepted, to remorſe and pity.* It is remarkable, that the hiſtorian, who expreſſes himſelf in theſe terms, was himſelf chairman of that committee, which conducted the impeachment againſt this unfortunate ſtateſman. The accuſation and defence laſted eighteen days. The managers divided the ſeveral articles among them, and attacked the priſoner with all the weight of authority, with all the vehemence of rhetoric, with all the accuracy of long preparation. Strafford was obliged to ſpeak with deference and reſerve towards his moſt invete-

[c] Ruſh. vol. iv. p. 659, &c. [d] Page 41.

rate enemies, the commons, the Scottiſh nation, and the Iriſh parliament. He took only a very ſhort time, on each article, to recollect himſelf: Yet he alone, without aſſiſtance, mixing modeſty and humility with firmneſs and vigour, made ſuch a defence that the commons ſaw it impoſſible, by a legal proſecution, ever to obtain a ſentence againſt him.

BUT the death of Strafford was too important a ſtroke of party to be left unattempted by any expedient, however extraordinary. Beſides the great genius and authority of that miniſter, he had threatened ſome of the popular leaders with an impeachment; and, had he not, himſelf, been ſuddenly prevented by the impeachment of the commons, he had, that very day, it was thought, charged Pym, Hambden, and others with treaſon, for having invited the Scots to invade England. A bill of attainder was therefore brought into the lower houſe immediately after finiſhing theſe pleadings; and preparatory to it, a new proof of the earl's guilt was produced, in order to remove ſuch ſcruples as might be entertained with regard to a method of proceeding ſo unuſual and irregular.

SIR Henry Vane, ſecretary, had taken ſome notes of a debate in council, after the diſſolution of the laſt parliament; and being at a diſtance, he had ſent the keys of his cabinet, as was pretended, to his ſon, Sir Henry, in order to ſearch for ſome papers, which were neceſſary for completing a marriage-ſettlement. Young Vane, falling upon this paper of notes, deemed the matter of the utmoſt importance; and immediately communicated it to Pym, who now produced the paper before the houſe of commons. The queſtion before the council was: *Offenſive or defenſive war with the Scots.* The king propoſes this difficulty, "But how can I "undertake offenſive war, if I have no more money?" The anſwer aſcribed to Strafford was in theſe words: "Borrow of the city a hundred "thouſand pounds: Go on vigorouſly to levy ſhip-money. Your majeſty "having tried the affections of your people, you are abſolved and looſe "from all rules of government, and may do what power will admit. Your "majeſty, having tried all ways, ſhall be acquitted before God and man. "And you have an army in Ireland, which you may employ to reduce "THIS kingdom to obedience: For I am confident the Scots cannot hold "out five months." There followed ſome counſels of Laud and Cottington, equally violent, with regard to the king's being abſolved from all rules of government [c].

THIS paper, with all the circumſtances of its diſcovery and communication, was pretended to be equivalent to two witneſſes, and to be an unanſwerable proof of thoſe pernicious counſels of Strafford, which tended to the ſubverſion of the laws and conſtitution. It was replied by Strafford and his friends, That old Vane was his moſt inveterate and declared ene-

[c] Clarendon, vol. i. p. 223, 229, 230, &c. Whitlocke, p. 41. May, p. 93.

my; and if the ſecretary himſelf, as was by far moſt probable, had willingly delivered to his ſon this paper of notes, to be communicated to Pym, this implied ſuch a breach of oaths and of truſt, as rendered him totally unworthy of all credit: That the ſecretary's depoſition was at firſt exceedingly dubious: Upon two examinations, he could not remember any ſuch words: Even the third time, his teſtimony was not poſitive, but imported only, that Strafford had ſpoken ſuch or ſuch like words: And words may be very like in ſound, and differ much in ſenſe; nor ought the lives of men to depend upon grammatical criticiſms of any expreſſions, much leſs of thoſe which had been delivered by the ſpeaker without premeditation, and committed by the hearer for any time, however ſhort, to the uncertain record of memory. That, in the preſent caſe, changing *This kingdom* into *That kingdom*, a very ſlight alteration! the earl's diſcourſe could regard nothing but Scotland, and implies no advice unworthy of an Engliſh counſellor. That even retaining the expreſſion, *This kingdom*, the words may fairly be underſtood of Scotland, which alone was the kingdom that the debate regarded, and which alone had thrown off allegiance, and could be reduced to obedience. That it could be proved, as well by the evidence of all the king's miniſters, as by the known diſpoſition of the forces, that the intention never was to land the Iriſh army in England, but in Scotland. That of ſix other counſellors preſent, Laud and Windebank could give no evidence; Northumberland, Hamilton, Cottington, and Juxon, could recollect no ſuch expreſſion; and the advice was too remarkable to be eaſily forgotten. That it was nowiſe probable ſuch a deſperate counſel would be openly delivered at the board, and before Northumberland, a perſon of that high rank, and whoſe attachments to the court were ſo much weaker than his connections with the country. That though Northumberland, and he alone, had recollected ſome ſuch expreſſion as that *Of being abſolved from rules of government*, yet, in ſuch deſperate extremities as thoſe into which the king and kingdom were then fallen, a maxim of that nature allowing it to be delivered by Strafford, may be defended, upon principles the moſt favourable to law and liberty. And that nothing could be more iniquitous, than to exact an accuſation of treaſon from an opinion ſimply propoſed at the council-table, where all freedom of debate ought to be permitted and where it was not unuſual for the members, in order to draw forth the ſentiments of others, to propoſe counſels very remote from their own ſecret advice and judgment [f].

1641. Bill of attainder.

THE evidence of Secretary Vane, though expoſed to ſuch unſurmountable objections, was the real cauſe of Strafford's unhappy fate; and made the bill of attainder paſs the commons with no greater oppoſition than that of fifty-nine diſſent-

[f] Ruſhworth, vol. iv. p. 560.

ing votes. But there remained two other branches of the legiſlature, the king and the lords, whoſe aſſent was requiſite; and theſe, if left to their free judgment, it was eaſily foreſeen, would reject the bill without ſcruple or deliberation. To overcome this difficulty, the popular leaders employed expedients, for which they were beholden, partly to their own induſtry, partly to the indiſcretion of their adverſaries.

NEXT Sunday after the bill paſſed the commons, the puritanical pulpits reſounded with declamations concerning the neceſſity of executing juſtice upon great delinquents [g]. The populace took the alarm. About ſix thouſand men, armed with ſwords and cudgels, flocked from the city, and ſurrounded the houſes of parliament [h]. The names of the fifty-nine commoners who had voted againſt the bill of attainder were poſted up under the title of *Straffordians, and betrayers of their country*. Theſe were expoſed to all the inſults of the ungovernable multitude. When any of the lords paſſed, the cry for *Juſtice* againſt Strafford reſounded in their ears: And ſuch as were ſuſpected of friendſhip to that obnoxious miniſter, were ſure to meet with menaces, not unaccompanied with ſymptoms of the moſt deſperate reſolutions in the furious populace [i].

COMPLAINTS in the houſe of commons being made againſt theſe violences as the moſt flagrant breach of privilege, the ruling members, by their affected coolneſs and indifference, ſhowed plainly that the popular tumults were not diſagreeable to them [k]. But a new diſcovery, made about this time, ſerved to throw every thing into ſtill greater flame and combuſtion.

SOME principal officers, Piercy, Jermyn, O'Neale, Goring, Wilmot, Pollard, Aſhburnham, partly attached to the court, partly diſguſted with the parliament, had formed a plan, of engaging into the king's ſervice the Engliſh army, whom they obſerved to be diſpleaſed at ſome marks of preference given by the commons to the Scots. For this purpoſe, they entered into an aſſociation, took an oath of ſecrecy, and kept a cloſe correſpondence with ſome of the king's ſervants. The form of a petition to the king and parliament was concerted; and it was intended to get this petition ſubſcribed by the army. The petitioners there repreſent the great and unexampled conceſſions made by the king for the ſecurity of public peace and liberty; the endleſs demands of certain inſatiable and turbulent ſpirits, whom nothing leſs will content than a total ſubverſion of the ancient conſtitution; the frequent tumults which theſe factious malcontents had excited, and which endangered the liberty of parliament. To prevent theſe miſchiefs, the army offered to come up and guard that aſſembly. "So ſhall the nation," as they expreſs themſelves in the con-

g Whitlocke, p. 43. h Idem, ibid. i Clarendon, vol. i. p. 232. 256. Ruſh. vol. v. p. 248, 1279. k Whitlocke, ut ſupra.

cluſion, "not only to be vindicated from preceding innovations, but be "ſecured from the future, which are threatened, and which are likely to produce more dangerous effects than the former [l]." The draught of this petition being conveyed to the king, he was prevailed on ſomewhat imprudently, to counterſign it himſelf, as a mark of his approbation. But as ſeveral difficulties occurred, the project was laid aſide two months before any public diſcovery was made of it.

IT was Goring who betrayed the ſecret to the popular leaders. The alarm may eaſily be imagined which this intelligence conveyed. Petitions from the military to the civil power are always looked on as diſguiſed, or rather undiſguiſed commands; and are of a nature widely different from petitions preſented by any other rank of men. Pym opened the matter in the houſe [m]. On the firſt intimation of a diſcovery, Piercy concealed himſelf, and Jermyn withdrew beyond ſea. This farther confirmed the ſuſpicion of a dangerous conſpiracy. Goring delivered his evidence before the houſe: Piercy wrote a letter to his brother Northumberland, confeſſing moſt of the particulars [n]. Both their teſtimonies agree with regard to the oath of ſecrecy; and as this circumſtance had been denied by Pollard, Aſhburnham, and Wilmot, in all their examinations, it was regarded as a new proof of ſome deſperate reſolutions which had been taken.

To convey more quickly the terror and indignation at this plot, the commons voted that a proteſtation ſhould be ſigned by all the members. It was ſent up to the lords, and ſigned by all of them, except Southampton and Roberts. Oders were given by the commons alone, without other authority, that it ſhould be ſubſcribed by the whole nation. The proteſtation was in itſelf very inoffenſive, even inſignificant; and contained nothing but general declarations, that the ſubſcribers would defend their religion and liberties [o]. But it tended to encreaſe the popular panic, and intimated, what was more expreſsly declared in the preamble, that theſe bleſſings were now expoſed to the utmoſt peril.

ALARMS were every day given of new conſpiracies [p]: In Lancaſhire, great multitudes of papiſts were aſſembling: Secret meetings were held by them in caves and under ground in Surry: They had entered into a plot to blow up the river with gun-powder, in order to drown the city [q]: Proviſions of arms were making beyond ſea; Sometimes France, ſometimes Denmark, was forming deſigns againſt the kingdom: And the populace, who are always terrified with preſent, and enraged with diſtant dangers, were ſtill farther animated in their demands of juſtice againſt the unfortunate Strafford.

[l] Clarendon, vol. i. p. 247. Whitlocke, p. 43. [m] Ruſh. vol. v. p. 240.
[n] Idem, ibid. p. 255. [o] Clarendon, vol. i. p. 252. Ruſh. vol. v. p. 241. Warwick, p. 180. [p] Dugdale, p. 69. Franklyn, p. 901. [q] Sir Edw. Walker, p. 349.

THE king came to the houſe of lords: And though he expreſſed his reſolution, for which he offered them any ſecurity, never again to employ Strafford in any branch of public buſineſs, he profeſſed himſelf totally diſſatisfied with regard to the circumſtance of treaſon, and on that account declared his difficulty in giving his aſſent to the bill of attainder [r]. The commons took fire, and voted it a breach of privilege for the king to take notice of any bill depending before the houſes. Charles did not perceive that his attachment to Strafford was the chief motive for the bill; and that the greater proofs he gave of his anxious concern for this miniſter, the more inevitable did he render his deſtruction.

ABOUT eighty peers had conſtantly attended Strafford's trial; but ſuch apprehenſions were entertained on account of the popular tumults, that only forty-five were preſent when the bill of attainder was brought into the houſe. Yet of theſe, nineteen had the courage to vote againſt it [s]. A certain proof, that if entire freedom had been allowed, the bill had been rejected by a great majority.

IN carrying up the bill to the lords, St. John, the ſolicitor-general, advanced two topics well ſuited to the fury of the times; that though the teſtimony againſt Strafford were not clear, yet, in this way of bill, private ſatisfaction to each man's conſcience was ſufficient, even ſhould no evidence at all be produced; and that the earl had no title to plead law becauſe he had broken the law. It is true, added he, we give law to hares and deer; for they are beaſts of chace. But it was never accounted either cruel or unfair to deſtroy foxes or wolves, wherever they can be found; for they are beaſts of prey [t].

AFTER popular violence had prevailed over the lords, the ſame battery was next applied to force the king's aſſent. The populace flocked about Whitehall, and accompanied their demand of juſtice with the loudeſt clamours, and moſt open menaces. Rumours of conſpiracies againſt the parliament were anew ſpread abroad: Invaſions and inſurrections talked of: And the whole nation was raiſed into ſuch a ferment, as threatened ſome great and imminent convulſion. On whichever ſide the king caſt his eyes, he ſaw no reſource or ſecurity. All his ſervants, conſulting their own ſafety, rather than their maſter's honour, declined interpoſing with their advice between him and his parliament. The queen, terrified with the appearance of ſo mighty a danger, and bearing formerly no good-will to Strafford, was in tears, and preſſed him to ſatisfy his people in this demand, which, it was hoped, would finally content them. Juxon alone, whoſe courage was not inferior to his other virtues, ventured to adviſe him, if, in his conſcience, he did not approve of the bill, by no means to aſſent to it [u].

[r] Ruſhworth, vol. v. p. 239. [s] Whitlocke, p. 43. [t] Clarendon, vol. i. p. 232.
[u] Ibid. p. 257. Warwick, p. 160.

STRAFFORD, hearing of Charles's irresolution and anxiety, took a very extraordinary step: He wrote a letter, in which he entreated the king, for the sake of public peace, to put an end to his unfortunate, however innocent, life, and to quiet the tumultuous people by granting them the request for which they were so importunate [w]. "In this," added he, "my consent will more acquit you to God than all the world can do be-"fides. To a willing man there is no injury. And as, by God's grace, "I forgive all the world with a calmness and meekness, of infinite content-"ment to my dislodging soul; so, Sir, to you, I can resign the life of "this world with all imaginable cheerfulness, in the just acknowledgement "of your exceeding favours." Perhaps, Strafford hoped, that this unusual instance of generosity would engage the king still more to protect him: Perhaps he gave his life for lost; and finding himself in the hands of his enemies, and observing that Balfour, the lieutenant of the Tower, was devoted to the popular party [x], he absolutely despaired of ever escaping the multiplied dangers with which he was every way environed. We might ascribe this step to a noble effort of disinterestedness, not unworthy the great mind of Strafford, if the measure which he advised had not been, in the event, as pernicious to his master, as it was immediately fatal to himself [y].

AFTER the most violent anxiety and doubt, Charles at last granted a commission to four noblemen to give the royal assent, in his name, to the bill: Flattering himself, probably, in this extremity of distress, that, as neither his will consented to the deed, nor was his hand immediately engaged in it, he was the more free from all the guilt which attended it. These commissioners he empowered, at the same time, to give his assent to the bill which rendered the parliament perpetual.

THE commons, from policy, rather than necessity, had embraced the expedient of paying the two armies by borrowing money from the city; and these loans they had repaid afterwards by taxes levied upon the people. The citizens, either of themselves or by suggestion, began to start difficulties with regard to a farther loan which was demanded. We make no scruple of trusting the parliament, said they, were we certain that the parliament were to continue till our repayment. But, in the present precarious situation of affairs, what security can be given us for our money? In pretence of obviating this objection, a bill was suddenly brought into the house, and passed with great unanimity and rapidity, that the parliament should not be dissolved, prorogued, or adjourned, without their own consent. It was hurried in like manner through the house of peers, and was

[w] Clarendon vol. i. p 258. Rush. vol. v. p. 251. [x] Whitlocke, p. 44 Franklyn, p. 896. [y] See note [AA] at the end of the volume.

inſtantly carried to the king for his aſſent. Charles, in the agony of grief, ſhame, and remorſe, for Strafford's doom, perceived not that this other bill was of ſtill more fatal conſequence to his authority, and rendered the power of his enemies perpetual, as it was already uncontroulable [z]. In compariſon of the bill of attainder, by which he deemed himſelf an accomplice in his friend's murder, this conceſſion made no figure in his eyes [a]: A circumſtance which, if it leſſen our idea of his reſolution or penetration, ſerves to prove the integrity of his heart, and the goodneſs of his diſpoſition. It is indeed certain, that ſtrong compunction for his conſent to Strafford's execution attended this unfortunate prince during the remainder of his life; and even at his own fatal end, the memory of this guilt, with great ſorrow and remorſe, recurred upon him. All men were ſo ſenſible of the extreme violence which was done him, that he ſuffered the leſs, both in character and intereſt, from this unhappy meaſure; and though he abandoned his beſt friend, yet was he ſtill able to preſerve, in ſome degree, the attachment of all his adherents.

SECRETARY Carleton was ſent by the king to inform Strafford of the final reſolution which neceſſity had extorted from him. The earl ſeemed ſurprized, and ſtarting up, exclaimed in the words of Sripture, *Put not your truſt in princes, nor in the ſons of men: For in them there is no ſalvation* [b]. He was ſoon able, however, to collect his courage; and he prepared himſelf to ſuffer the fatal ſentence. Only three days' interval was allowed him. The king who made a new effort in his behalf, and ſent, by the hands of the young prince, a letter addreſſed to the peers, in which he entreated them to confer with the commons about a mitigation of Strafford's ſentence, and begged at leaſt for ſome delay, was refuſed in both requeſts [c].

STRAFFORD, in paſſing from his apartment to Tower-hill, where the ſcaffold was erected, ſtopped under Laud's windows, with whom he had long lived in intimate friendſhip; and entreated the aſſiſtance of his prayers, in thoſe awful moments which were approaching: The aged primate diſſolved into tears; and having pronounced, with a broken voice, a tender bleſſing on his departing friend, ſunk into the arms of his attendants [d]. Strafford, ſtill ſuperior to his fate, moved on with an elated countenance, and with an air even of greater dignity than what uſually attended him. He wanted that conſolation, which commonly ſupports thoſe who periſh by the ſtroke of injuſtice and oppreſſion: He was not buoyed up by glory, nor by the affectionate compaſſion of the ſpectators: Yet his mind erect and undaunted, found reſources within itſelf, and maintained its unbroken reſolution, amidſt the terrors of

1641. Execution of Strafford.

z Clarendon, vol i. p. 261, 262. Ruſhworth, vol. v. p. 264, a See note [BB] at the end of the volume. b Whitlocke, p. 44. c Ruſh. vol. v. p. 265. d Nalſon, vol. ii. p 198,

death, and the triumphant exultations of his miſguided enemies. His diſcourſe on the ſcaffold was full of decency and courage. "He feared," he ſaid, "that the omen was bad for the intended reformation of the "ſtate, that it commenced with the ſhedding of innocent blood." Having bid a laſt adieu to his brother and friends who attended him, and having ſent a bleſſing to his near relations who were abſent; "And now," ſaid he "I have nigh done! One ſtroke will make my wife a widow, my "dear children fatherleſs, deprive my poor ſervants of their indulgent maſ-"ter, and ſeparate me from my affectionate brother and all my friends! "But let God be to you and them all in all!" Going to diſrobe, and prepare himſelf for the block, "I thank God." ſaid he, "that I am no-"wiſe afraid of death, nor am daunted with any terrors; but do as cheer-"fully lay down my head at this time, as ever I did when going to re-poſe!" With one blow was a period put to his life by the executioner [e].

THUS periſhed, in the 49th year of his age, the earl of Strafford, one of the moſt eminent perſonages that has appeared in England. Though his death was loudly demanded as a ſatisfaction to juſtice, and an atonement for the many violations of the conſtitution; it may ſafely be affirmed, that the ſentence, by which he fell, was an enormity greater than the worſt of thoſe, which his implacable enemies proſecuted with ſo much cruel induſtry. The people in their rage, had totally miſtaken the proper object of their reſentment. All the neceſſities, or more properly ſpeaking, the difficulties, by which the king had been induced to uſe violent expedients for raiſing ſupply, were the reſult of meaſures previous to Strafford's favour; and if they aroſe from ill conduct, he at leaſt, was entirely innocent. Even thoſe violent expedients themſelves, which occaſioned the complaint that the conſtitution was ſubverted, had been, all of them, conducted ſo far as appeared, without his counſel or aſſiſtance. And whatever his private advice might be [f], this ſalutary maxim he failed not, often and publicly, to inculcate in the king's preſence, that, if any inevitable neceſſity ever obliged the ſovereign to violate the laws, this licence ought to be practiſed with extreme reſerve, and as ſoon as poſſible, a juſt atonement be made to the conſtitution, for any injury which it might ſuſtain from ſuch dangerous precedents [g]. The firſt parliament after the reſtoration reverſed the bill of attainder; and even a few weeks after Strafford's execution, this very parliament remitted to his children the more ſevere conſequen-

1641. Execution of Strafford.

[e] Ruſhworth, vol. v. p. 267.

[f] That Strafford was ſecretly no enemy to arbitrary counſels, appears from ſome of his letters and diſpatches, particularly, vol. ii. p. 60. where he ſeems to wiſh that a ſtanding army were eſtabliſhed.

[g] Ruſhworth, vol. iv. p. 567, 568, 569. 570.

ces of his ſentence: As if conſcious of the violence, with which the proſecution had been conducted.

IN vain did Charles expect, as a return for ſo many inſtances of unbounded compliance, that the parliament would at laſt ſhow him ſome indulgence, and would cordially fall into that unanimity, to which, at the expence of his own power, and of his friend's life, he ſo earneſtly courted them. All his conceſſions were poiſoned by their ſuſpicion of his want of cordiality; and the ſuppoſed attempt to engage the army againſt them, ſerved with many as a confirmation of this jealouſy. It was natural for the king to ſeek ſome reſource, while all the world ſeemed to deſert him, or combine againſt him; and this probably was the utmoſt of that embryo-ſcheme which was formed with regard to the army. But the popular leaders ſtill inſiſted, that a deſperate plot was laid to bring up the forces immediately, and offer violence to the parliament: A deſign of which Piercy's evidence acquits the king, and which the near neighbourhood of the Scottiſh army ſeems to render abſolutely impracticable [h]. By means, however, of theſe ſuſpicions, was the ſame implacable ſpirit ſtill kept alive; and the commons, without giving the king any ſatisfaction in the ſettlement of his revenue, proceeded to carry their inroads, with great vigour, into his now defenceleſs prerogative [i].

1641. High commiſſion and ſtar chamber aboliſhed.

THE two ruling paſſions of this parliament, were zeal for liberty, and an averſion to the church; and to both of theſe, nothing could appear more exceptionable, than the court of high commiſſion, whoſe inſtitution rendered it entirely arbitrary, and aſſigned to it the defence of the eccleſiaſtical eſtabliſhment. The ſtar-chamber alſo was a court, which exerted high diſcretionary powers; and had no preciſe rule or limit, either with regard to the cauſes which came under its juriſdiction, or the deciſions which it formed. A bill unanimouſly paſſed the houſes to aboliſh theſe two courts; and, in them, to annihilate the principal and moſt dangerous articles of the king's prerogative. By the ſame bill, the juriſdiction of the council was regulated, and its authority abridged [k]. Charles heſitated before he gave his aſſent. But finding that he had gone too far to retreat, and that he poſſeſſed no reſource in caſe of rupture, he at laſt affixed the royal ſanction to this excellent bill. But to ſhow the parliament, that he was

[h] The project of bringing up the army to London, according to Piercy, was propoſed to the king; but he rejected it as fooliſh: Becauſe the Scots, who were in arms, and lying in their neighbourhood, muſt be at London as ſoon as the Engliſh army. This reaſon is ſo ſolid and convincing, that it leaves no room to doubt of the veracity of Piercy's evidence; and conſequently acquits the king of this terrible plot of bringing up the army, which made ſuch a noiſe at the time, and was a pretence for ſo many violences.

[i] Clarendon, vol. i. p. 266. [k] Idem, ibid. p. 283, 284. Whitlocke, p. 47. Ruſhworth, vol. iii. p. 1383, 1384.

ſufficiently appriſed of the importance of his grant, he obſerved to them, that this ſtatute altered in a great meaſure the fundamental laws eccleſiaſtical and civil, which many of his predeceſſors had eſtabliſhed [l].

BY removing the ſtar-chamber, the king's power of binding the people by his proclamations, was indirectly aboliſhed; and that important branch of prerogative, the ſtrong ſymbol of arbitrary power, and unintelligible in a limited conſtitution, being at laſt removed, left the ſyſtem of government more conſiſtent and uniform. The ſtar-chamber alone was accuſtomed to puniſh infractions of the king's edicts: But as no courts of judicature now remained, except thoſe in Weſtminſter-hall, which take cognizance only of common and ſtatute law, the king may thenceforth iſſue proclamations, but no man is bound to obey them. It muſt, however, be confeſſed, that the experiment here made by the parliament, was not a little raſh and adventurous. No government, at that time, appeared in the world, nor is perhaps to be found in the records of hiſtory, which ſubſiſted without the mixture of ſome arbitrary authority, committed to ſome magiſtrate; and it might reaſonably, beforehand, appear doubtful, whether human ſociety could ever reach that ſtate of perfection, as to ſupport itſelf with no other controul than the general and rigid maxims of law and equity. But the parliament juſtly thought, that the king was too eminent a magiſtrate to be truſted with diſcretionary power, which he might ſo eaſily turn to the deſtruction of liberty. And in the event it has hitherto been found, that, though ſome ſenſible inconveniences ariſe from the maxim of adhering ſtrictly to law, yet the advantages overbalance them, and ſhould render the Engliſh grateful to the memory of their anceſtors, who, after repeated conteſts, at laſt eſtabliſhed that noble, though dangerous, principle.

AT the requeſt of the parliament, Charles, inſtead of patents during pleaſure, gave all the judges patents during their good behaviour [m]: A circumſtance of the greateſt moment towards ſecuring their independency, and barring the entrance of arbitrary power into the ordinary courts of judicature.

THE marſhal's court, which took cognizance of offenſive words, and was not thought ſufficiently limited by law, was alſo, for that reaſon, aboliſhed [n]. The ſtannary courts, which exerciſed juriſdiction over the miners, being liable to a like objection, underwent a like fate. The abolition of the council of the north and the council of Wales followed from the ſame principles. The authority of the clerk of the market, who had a general inſpection over the weights and meaſures throughout the kingdom, was transferred to the mayors, ſheriffs, and ordinary magiſtrates.

[l] Ruſhworth, vol. v. p. 307. [m] May, p. 107. [n] Nalſon, vol. i. p. 77

IN ſhort, if we take a ſurvey of the tranſactions of this memorable parliament, during the firſt period of its operations, we ſhall find, that, excepting Strafford's attainder, which was a complication of cruel iniquity, their merits, in other reſpects, ſo much outweigh their miſtakes, as to entitle them to praiſe from all lovers of liberty. Not only were former abuſes remedied, and grievances redreſſed: Great proviſion, for the future, was made by law againſt the return of like complaints. And if the means, by which they obtained ſuch advantages, favour often of artifice, ſometimes of violence; it is to be conſidered, that revolutions of government cannot be effected by the mere force of argument and reaſoning: And that factions being once excited, men can neither ſo firmly regulate the tempers of others, nor their own, as to enſure themſelves againſt all exorbitancies.

THE parliament now came to a pauſe. The king had promiſed his Scottiſh ſubjects, that he would this ſummer pay them a viſit, in order to ſettle their government; and though the Engliſh parliament was very importunate with him, that he ſhould lay aſide that journey; they could not prevail with him ſo much as to delay it. As he muſt neceſſarily in his journey have paſſed through the troops of both nations, the commons ſeem to have entertained great jealouſy on that account, and to have hurried on, as much as they formerly delayed, the diſbanding of the armies. The arrears therefore of the Scots were fully paid them; and thoſe of the Engliſh in part. The Scots returned home, and the Engliſh were ſeparated into their ſeveral counties, and diſmiſſed.

1641. 8th of Aug. King's journey to Scotland.

AFTER this the parliament adjourned to the 20th of October; and a committee of both houſes, a thing unprecedented, was appointed to ſit during the receſs, with very ample powers[o]. Pym was elected chairman of the committee of the lower houſe. Farther attempts were made by the parliament, while it ſat, and even by the commons alone, for aſſuming ſovereign executive powers, and publiſhing their ordinances, as they called them, inſtead of laws. The committee too, on their part was ready to imitate the example.

9th of Sept.

A SMALL committee of both houſes was appointed to attend the king into Scotland, in order, as was pretended, to ſee that the articles of pacification were executed; but really to be ſpies upon him, and extend ſtill farther the ideas of parliamentary authority, as well as eclipſe the majeſty of the king. The earl of Bedford, lord Howard, Sir Philip Stapleton, Sir William Armyne, Fiennes, and Hambden, were the perſons choſen[p].

ENDEAVOURS were uſed, before Charles's departure, to have a protector of the kingdom appointed, with a power to paſs laws without having

[o] Ruſhworth, vol. v. p. 387. [p] Ibid. p. 376.

recourſe to the king. So little regard was now paid to royal authority, or to the eſtabliſhed conſtitution of the kingdom.

AMIDST the great variety of affairs, which occurred during this buſy period, we have almoſt overlooked the marriage of the princeſs Mary with William prince of Orange. The king concluded not this alliance without communicating his intentions to the parliament, who received the propoſal with ſatisfaction [q]. This was the commencement of the connections with the family of Orange: Connections, which were afterwards attended with the moſt important conſequences, both to the kingdom and to the houſe of Stuart.

CHAP. LV.

Settlement of Scotland——Conſpiracy in Ireland——Inſurrection and maſſacre——Meeting of the Engliſh parliament——The remonſtrance——Reaſons on both ſides——Impeachment of the biſhops——Accuſation of the five members——Tumults——King leaves London——Arrives in York——Preparations for civil war.

THE Scots, who began theſe fatal commotions, thought, that they had finiſhed a very perilous undertaking, much to their profit and reputation. Beſides the large pay voted them for lying in good quarters during a twelvemonth, the Engliſh parliament had conferred on them a preſent of 300,000 pounds for their brotherly aſſiſtance [r]. In the articles of pacification, they were declared to have ever been good ſubjects; and their military expeditions were approved of, as enterprizes calculated and intended for his majeſty's honour and advantage. To carry farther the triumph over their ſovereign, theſe terms, ſo ignominious to him, were ordered by a vote of parliament, to be read in all churches, upon a day of thankſgiving, appointed for the national pacification [s]: All their claims for the reſtriction of prerogative, were agreed to be ratified: And what they more valued than all theſe advantages; they had a near proſpect of ſpreading the preſbyterian diſcipline in England and Ireland, from the ſeeds, which they had ſcattered, of their religious principles. Never did refined Athens ſo exult in diffuſing the ſciences and liberal arts over a ſavage world; never did generous Rome ſo pleaſe herſelf in the view of law and order eſtabliſhed by her victorious arms; as the Scots now rejoiced, in

[q] Whitlocke, p. 38. [r] Nalſon, vol. i. p. 747. May. p. 104. [s] Ruſhworth, vol. v. p. 365. Clarendon, vol. ii. p. 293.

communicating their barbarous zeal and theological fervour, to the neighbouring nations.

1641. Aug. 14. Settlement of Scotland.

CHARLES, despoiled in England of a considerable part of his authority, and dreading still farther encroachments upon him, arrived in Scotland, with an intention of abdicating almost entirely the small share of power, which *there* remained to him, and of giving full satisfaction, if possible to his restless subjects in that kingdom.

THE lords of articles were an ancient institution in the Scottish parliament. They were constituted after this manner. The temporal lords chose eight bishops: The bishops elected eight temporal lords; These sixteen named eight commissioners of counties, and eight burgesses: And without the previous consent of the thirty-two, who were denominated lords of articles, no motion could be made in parliament. As the bishops were entirely devoted to the court, it is evident, that all the lords of articles by necessary consequence, depended on the king's nomination; and the prince, besides one negative after the bills had passed through parliament, possessed indirectly another before their introduction; a prerogative of much greater consequence than the former. The bench of bishops being now abolished, the parliament laid hold of the opportunity, and totally set aside the lords of articles: And till this important point was obtained, the nation, properly speaking, could not be said to enjoy any regular freedom [t].

IT is remarkable, that, notwithstanding this institution, to which there was no parallel in England, the royal authority was always deemed much lower in Scotland than in the former kingdom. Bacon represents it as one advantage to be expected from the union, that the too extensive prerogative of England would be abridged by the example of Scotland, and the too narrow prerogative of Scotland, be enlarged from the imitation of England. The English were at present a civilized people, and obedient to the laws; But among the Scots, it was of little consequence how the laws were framed, or by whom voted, while the exorbitant aristocracy had it so much in their power to prevent their regular execution.

THE peers and commons formed only one house in the Scottish parliament: And as it had been the practice of James, continued by Charles, to grace English gentlemen with Scottish titles, all the determinations of parliament, it was to be feared, would in time depend upon the prince by means of these votes of foreigners, who had no interest or property in the nation. It was therefore a law, deserving approbation, that no man should be created a Scotch peer, who possessed not 10,000 marks (above 500 pounds) of annual rent in the kingdom [u].

[t] Burnet, mem. [u] Idem, ibid.

A LAW for triennial parliaments was likewiſe paſſed; and it was ordained, that the laſt act of every parliament ſhould be to appoint the time and place for holding the parliament next enſuing [w].

THE king was deprived of that power, formerly exerciſed, of iſſuing proclamations, which enjoined obedience, under the penalty of treaſon: A prerogative, which inveſted him with the whole legiſlative authority, even in matters of the higheſt importance [x].

So far was laudable: But the moſt fatal blow given to royal authority, and what in a manner dethroned the prince, was the article, that no member of the privy council, in whoſe hands, during the king's abſence, the whole adminiſtration lay, no officer of ſtate, none of the judges, ſhould be appointed but by advice and approbation of parliament. Charles even agreed to deprive of their ſeats, four judges who had adhered to his intereſts; and their place was ſupplied by others more agreeable to the ruling party. Several of the covenanters were alſo ſworn of the privy council. And all the miniſters of ſtate, counſellors and judges, were, by law, to hold their places during life or good behaviour [y].

THE king, while in Scotland, conformed himſelf entirely to the eſtabliſhed church; and aſſiſted with great gravity, at the long prayers and longer ſermons, with which the preſbyterians endeavoured to regale him. He beſtowed penſions and preferments on Henderſon, Gilleſpy, and other popular preachers; and practiſed every art to ſoften, if not to gain, his greateſt enemies. The earl of Argyle was created a marquis, Lord Loudon an earl, Leſley was dignified with the title of earl of Leven [z]. His friends, he was obliged, for the preſent, to neglect and overlook: Some of them were diſguſted: And his enemies were not reconciled; but aſcribed all his careſſes and favours to artifice and neceſſity.

ARGYLE and Hamilton, being ſeized with an apprehenſion real or pretended, that the earl of Crawfurd and others meant to aſſaſſinate them, left the parliament ſuddenly, and retired into the country: But upon invitation and aſſurances returned in a few days. This event, which had neither cauſe nor effect that was viſible, nor purpoſe, nor conſequence, was commonly denominated the *incident*. But though the incident had no effect in Scotland; what was not expected, it was attended with conſequences in England. The Engliſh parliament which was now aſſembled, being willing to awaken the people's tenderneſs by exciting their fears, immediately took the alarm; as if the malignants, ſo they called the king's party, had laid a plot to murder them and all the godly in both kingdoms. They applied therefore to 1621. October 20.

[w] Burnet, mem. [x] Idem. ibid. [y] Idem. Ibid. [z] Clarendon, vol. ii. p. 309.

Eſſex, whom the king had left general in the ſouth of England, and he ordered a guard to attend them [a].

BUT while the king was employed in pacifying the commotions in Scotland, and was preparing to return to England, in order to apply himſelf to the ſame ſalutary work in that kingdom: he received intelligence of a dangerous rebellion broken out in Ireland, with circumſtances of the utmoſt horror, bloodſhed and devaſtation. On every ſide, this unfortunate prince was purſued with murmurs, diſcontent, faction, and civil wars; and the fire from all quarters, even by the moſt independent accidents, at once blazed up about him.

THE great plan of James, in the adminiſtration of Ireland, continued by Charles, was, by juſtice and peace to reconcile that turbulent people to the authority of laws, and, introducing art and induſtry among them, to cure them of that ſloth and barbariſm, to which they had ever been ſubject. In order to ſerve both theſe purpoſes, and at the ſame time ſecure the dominion of Ireland to the Engliſh crown, great colonies of Britiſh had been carried over, and, being intermixed with the Iriſh, had every where introduced a new face of things into that country. During a peace of near forty years, the inveterate quarrels between the nations ſeemed, in a great meaſure, to be obliterated: and though much of the landed property, forfeited by rebellion, had been conferred on the new planters, a more than equal return had been made, by their inſtructing the natives in tillage, building, manufactures and all the civilized arts of life [b]. This had been the courſe of things during the ſucceſſive adminiſtrations of Chicheſter, Grandiſon, Falkland, and, above all, of Strafford. Under the government of this latter nobleman, the pacific plans, now come to greater maturity, and forwarded by his vigour and induſtry, ſeemed to have operated with full ſucceſs, and to have beſtowed, at laſt, on that ſavage country, the face of a European ſettlement.

AFTER Strafford fell a victim to popular rage, the humours excited in Ireland by that great event, could not ſuddenly be compoſed, but continued to produce the greateſt innovations in the government.

THE Britiſh proteſtants, tranſplanted into Ireland, having every moment before their eyes, all the horrors of popery, had naturally been carried into the oppoſite extreme, and had univerſally adopted the higheſt principles and practices of the puritans. Monarchy, as well as the hierarchy, was become odious to them; and every method of limiting the authority of the crown, and detaching themſelves from the king of England, was greedily adopted and purſued. They conſidered not, that,

[a] Whitlocke, p. 40. Dugdale p. 72. Burnet's memoirs of the houſe of Hamilton. p. 184, 185. Clarendon p. 299.

[b] Sir John Temple's Iriſh rebellion, p. 12.

as they ſcarcely formed the ſixth part of the people, and were ſecretly obnoxious to the ancient inhabitants; their only method of ſupporting themſelves was by maintaining royal authority, and preſerving a great dependance on their mother-country. The Engliſh commons, likewiſe, in their furious proſecution of Strafford, had overlooked the moſt obvious conſequences; and, while they imputed to him, as a crime, every diſcretionary act of authority, they deſpoiled all ſucceeding governors of that power, by which alone the Iriſh could be retained in ſubjection. And ſo ſtrong was the current for popular government in all the three kingdoms, that the moſt eſtabliſhed maxims of policy were every where abandoned, in order to gratify this ruling paſſion.

CHARLES, unable to reſiſt, had been obliged to yield to the Iriſh, as to the Scottiſh and Engliſh parliaments; and found too, that their encroachments ſtill roſe in proportion to his conceſſions. Thoſe ſubſidies, which themſeleves had voted, they reduced, by a ſubſequent vote, to a fourth part: The court of high commiſſion was determined to be a grievance: Martial law aboliſhed: The juriſdiction of the council annihilated: Proclamations and acts of ſtate declared of no authority: Every order or inſtitution, which depended on monarchy, was invaded; and the prince was deſpoiled of all his prerogative, without the leaſt pretext of any violence or illegality in his adminiſtration.

THE ſtanding army of Ireland was uſually about 3000 men; but in order to aſſiſt the king in ſuppreſſing the Scottiſh covenanters, Strafford had raiſed 8000 more, and had incorporated with them a thouſand men, drawn from the old army; a neceſſary expedient for beſtowing order and diſcipline on the new levied ſoldiers. The private men in this army were all catholics; but the officers, both commiſſion and non-commiſſion, were proteſtants, and could entirely be depended on by Charles. The Engliſh commons entertained the greateſt apprehenſions on account of this army; and never ceaſed ſoliciting the king, till he agreed to break it: Nor would they conſent to any propoſal for augmenting the ſtanding army to 5000 men; a number which the king deemed neceſſary for retaining Ireland in obedience.

CHARLES, thinking it dangerous, that 8000 men accuſtomed to idleneſs, and trained to the uſe of arms, ſhould be diſperſed among a nation ſo turbulent and unſettled, agreed with the Spaniſh ambaſſador to have them tranſported into Flanders, and enliſted in his maſter's ſervice. The Engliſh commons, pretending apprehenſions, leſt regular bodies of troops, diſciplined in the Low Countries, ſhould prove ſtill more dangerous, ſhewed ſome averſion to this expedient; and the king reduced his allowance to 4000 men. But when the Spaniards had hired ſhips for tranſporting theſe

troops, and the men were ready to embark; the commons, willing to ſhow their power, and not diſpleaſed with an opportunity of curbing and affronting the king, prohibited every one from furniſhing veſſels for that ſervice. And thus the project, formed by Charles, of freeing the country from theſe men, was unfortunately diſappointed [c].

THE old Iriſh remarked all theſe falſe ſteps of the Engliſh, and reſolved to take advantage of them. Tho' their animoſity againſt that nation, for want of an occaſion to exert itſelf, ſeemed to be extinguiſhed, it was only compoſed into a temporary and deceitful tranquillity [d]. Their intereſts, both with regard to *property* and *religion*, ſecretly ſtimulated them to a revolt. No individual of any ſept, according to the ancient cuſtoms, had the property of any particular eſtate; but as the whole ſept had a title to a whole territory, they ignorantly preferred this barbarous community before the more ſecure and narrower poſſeſſions aſſigned them by the Engliſh. An indulgence, amounting almoſt to a toleration, had been given to the catholic religion: But ſo long as the churches and the eccleſiaſtical revenues were kept from the prieſts, and they were obliged to endure the neighbourhood of profane heretics, being themſelves diſcontented, they continually endeavoured to retard any cordial reconciliation between the Engliſh and the Iriſh nations.

1641. Conſpiracy in Ireland.

THERE was a gentleman called Roger More, who, though of a narrow fortune, was deſcended from an ancient Iriſh family, and was much celebrated among his countrymen for valour and capacity. This man firſt formed the project of expelling the Engliſh, and aſſerting the independency of his native country [e]. He ſecretly went from chieftain to chieftain, and rouzed up every latent principle of diſcontent. He maintained a cloſe correſpondence with lord Maguire and Sir Phelim O'Neale, the moſt powerful of the old Iriſh. By converſation, by letters, by his emiſſaries, he repreſented to his countrymen the motives of a revolt. He obſerved to them, that, by the rebellion of the Scots, and factions of the Engliſh, the king's authority in Britain was reduced to ſo low a condition, that he never could exert himſelf with any vigour, in maintaining the Engliſh dominion over Ireland; that the catholics, in the Iriſh houſe of commons, aſſiſted by the proteſtants, had ſo diminiſhed the royal prerogative and the power of the lieutenant, as would much facilitate the conducting, to its deſired effect, any conſpiracy or combination, which could be formed; that the Scots, having ſo ſucceſsfully thrown off dependence on the crown of England, and aſſumed the government into their own hands, had ſet an example to

c Claredon, vol. i. p. 281. Ruſhworth, vol. v. p. 381. Dugdale, p. 75. May, book ii. p. 3. d Temple, p. 14. e Nalſon, vol. ii. p. 543.

the Iriſh, who had ſo much greater oppreſſions to complain of; that the Engliſh planters, who had expelled them their poſſeſſions, ſuppreſſed their religion, and bereaved them of their liberties, were but a handful in compariſon of the natives; that they lived in the moſt ſupine ſecurity, interſperſed with their numerous enemies, truſting to the protection of a ſmall army, which was itſelf ſcattered in inconſiderable diviſions throughout the whole kingdom; that a great body of men, diſciplined by the government, were now thrown looſe, and were ready for any daring or deſperate enterprize; that though the catholics had hitherto enjoyed, in ſome tolerable meaſure, the exerciſe of their religion, from the moderation of their indulgent prince, they muſt henceforth expect, that the government will be conducted by other maxims and other principles; that the puritanical parliament, having at length ſubdued their ſovereign, would no doubt, as ſoon as they had conſolidated their authority, extend their ambitious enterprizes to Ireland, and make the catholics in that kingdom feel the ſame furious perſecution, to which their brethren in England were at preſent expoſed; and that a revolt in the Iriſh, tending only to vindicate their native liberty againſt the violence of foreign invaders, could never, at any time, be deemed rebellion; much leſs during the preſent confuſions, when their prince was, in a manner, a priſoner, and obedience muſt be paid, not to him, but to thoſe who had traiterouſly uſurped his lawful authority [f].

By theſe conſiderations, More engaged all the heads of the native Iriſh into the conſpiracy. The Engliſh of the pale, as they were called, or the old Engliſh planters, being all catholics, it was hoped, would afterwards join the party, which reſtored their religion to its ancient ſplendor and authority. The intention was, that Sir Phelim O'Neale and the other conſpirators ſhould begin an inſurrection on one day, throughout the provinces, and ſhould attack all the Engliſh ſettlements; and that, on the ſame day, lord Maguire and Roger More ſhould ſurprize the caſtle of Dublin. The commencement of the revolt was fixed on the approach of winter; that there might be more difficulty in tranſporting forces from England. Succours to themſelves and ſupplies of arms they expected from France, in conſequence of a promiſe made them by cardinal Richelieu. And many Iriſh officers, who ſerved in the Spaniſh troops, had engaged to join them, as ſoon as they ſaw an inſurrection entered upon by their catholic brethren. News, which every day arrived from England, of the fury expreſſed by the commons againſt all papiſts, ſtruck freſh terror into the Iriſh nation, and both ſtimulated the conſpirators to execute their fatal purpoſe, and gave them aſſured hopes of the concurrence of all their countrymen [g].

[f] Temple, p. 72, 73 78. Dugdale, p. 73. [g] Dugdale, p. 74.

SUCH propenſity to a revolt was diſcovered in all the Iriſh, that it was deemed unneceſſary, as it was dangerous, to entruſt the ſecret to many hands; and the appointed day drew nigh, nor had any diſcovery been yet made to the government. The king, indeed, had received information from his ambaſſadors, that ſomething was in agitation among the Iriſh in foreign parts; but though he gave warning to the adminiſtration in Ireland, the intelligence was entirely neglected [h]. Secret rumours, likewiſe, were heard of ſome approaching conſpiracy; but no attention was paid to them. The earl of Leiceſter, whom the king had appointed lieutenant, remained in London. The two juſtices, Sir William Parſons and Sir John Borlace, were men of ſmall abilities; and, by an inconvenience, common to all factious times, owed their advancement to nothing but their zeal for the party, by whom every thing was now governed. Tranquil from their ignorance and inexperience, theſe men indulged themſelves in the moſt profound repoſe, on the very brink of deſtruction.

BUT they were awakened from their ſecurity, on the very day before that which was appointed for the commencement of hoſtilities. The caſtle of Dublin, by which the capital was commanded, contained arms for 10,000 men, with thirty-five pieces of cannon, and a proportionable quantity of ammunition: Yet was this important place guarded, and that too without any care, by no greater force than fifty men. Maguire and More were already in town with a numerous band of their partizans: Others were expected that night: And, next morning, they were to enter upon, what they eſteemed the eaſieſt of all enterprizes, the ſurprizal of the caſtle. O'Conolly, an Iriſhman, but a proteſtant, betrayed the conſpiracy to Parſons [i]. The juſtices and council fled immediately, for ſafety, into the caſtle, and re-inforced the guards. The alarm was conveyed to the city, and all the proteſtants prepared for defence. More eſcaped: Maguire was taken; and Mahone, one of the conſpirators, being likewiſe ſeized, firſt diſcovered to the juſtices, the project of a general inſurrection, and redoubled the apprehenſions, which already were univerſally diffuſed throughout Dublin [k].

1641. Iriſh inſurrection and maſſacre.

BUT though O'Conolly's diſcovery ſaved the caſtle from a ſurprize, the confeſſion extorted from Mahone, came too late to prevent the intended inſurrection. O'Neale and his confederates had already taken arms in Ulſter. The Iriſh, every where intermingled with the Engliſh, needed but a hint from their leaders and prieſts to begin hoſtilities againſt a people whom they hated on account of their religion, and envied for their riches and proſperity [l]. The houſes, cattle, goods, of the unwary Engliſh were firſt ſeized.

h Ruſhworth, vol. v. p. 408. Nalſon, vol. ii. p. 565. i Ruſhworth, vol. v. p. 399. Nalſon, vol. ii. p. 520. May, book, ii. p. 6. k Temple, p. 17, 18, 19, 20. Ruſh. vol. v. p. 400. l Temple, p. 39, 40. 79,

Thoſe, who heard of the commotions in their neighbourhood, inſtead of deſerting their habitations, and aſſembling for mutual protection, remained at home, in hopes of defending their property; and fell thus ſeparately into the hands of their enemies [m]. After rapacity had fully exerted itſelf, cruelty, and the moſt barbarous, that ever, in any nation, was known or heard of, began its operations. An univerſal maſſacre commenced of the Engliſh, now defenceleſs, and paſſively reſigned to their inhuman foes. No age, no ſex, no condition was ſpared. The wife weeping for her butchered huſband, and embracing her helpleſs children, was pierced with them, and periſhed by the ſame ſtroke [n]. The old, the young, the vigorous, the infirm, underwent a like fate, and were confounded in one common ruin. In vain did flight ſave from the firſt aſſault: Deſtruction was, every where, let looſe, and met the hunted victims at every turn. In vain was recourſe had to relations, to companions, to friends: All connexions were diſſolved, and death was dealt by that hand, from which protection was implored and expected. Without provocation, without oppoſition, the aſtoniſhed Engliſh, living in profound peace, and full ſecurity, were maſſacred by their neareſt neighbours, with whom they had long upheld a continued intercourſe of kindneſs and good offices [o].

But death was the lighteſt puniſhment, inflicted by thoſe rebels: All the tortures which wanton cruelty could deviſe, all the lingering pains of body, the anguiſh of mind, the agonies of deſpair, could not ſatiate revenge excited without injury, and cruelty derived from no cauſe. To enter into particulars would ſhock the leaſt delicate humanity. Such enormities though atteſted by undoubted evidence, appear almoſt incredible. Depraved nature, even perverted religion, encouraged by the utmoſt licence, reach not to ſuch a pitch of ferocity; unleſs the pity inherent in human breaſts, be deſtroyed by that contagion of example, which tranſports men beyond all the uſual motives of conduct and behaviour.

The weaker ſex themſelves, naturally tender to their own ſufferings, and compaſſionate to thoſe of others, here emulated their more robuſt companions, in the practice of every cruelty [p]. Even children, taught by the example, and encouraged by the exhortation, of their parents, eſſayed their feeble blows on the dead carcaſes or defenceleſs children of the Engliſh [q]. The very avarice of the Iriſh was not a ſufficient reſtraint to their cruelty. Such was their frenzy, that the cattle, which they had ſeized, and by rapine made their own, yet becauſe they bore the name of Engliſh, were wantonly ſlaughtered, or when covered with wounds, turned looſe into the woods or deſarts.

[m] Temple, p. 42. [n] Idem, p. 40. [o] Idem p. 39, 40. [p] Temple, p. 96. 161. Ruſh. vol. v. p. 415. [q] Temple, p. 100.

THE ſtately buildings or commodious habitations of the planters, as if upbraiding the ſloth and ignorance of the natives, were conſumed with fire, or laid level with the ground. And where the miſerable owners, ſhut up in their houſes, and preparing for defence, periſhed in the flames, together with their wives and children, a double triumph was afforded to their inſulting foes [s].

IF any where a number aſſembled together, and aſſuming courage from deſpair, were reſolved to ſweeten death by revenge on their aſſaſſins; they were diſarmed by capitulations, and promiſes of ſafety, confirmed by the moſt ſolemn oaths. But no ſooner had they ſurrendered, than the rebels, with perfidy equal to their cruelty, made them ſhare the fate of their unhappy countrymen [t].

OTHERS, more ingenious ſtill in their barbarity, tempted their priſoners by the fond love of life, to embrue their hands in the blood of friends, brothers, parents; and having thus rendered them accomplices in guilt, gave them that death, which they ſought to ſhun by deſerving it [u].

AMIDST all theſe enormities, the ſacred name of RELIGION reſounded on every ſide; not to ſtop the hands of theſe murderers, but to enforce their blows, and to ſteel their hearts againſt every movement of human or ſocial ſympathy. The Engliſh, as heretics abhorred of God, and deteſtable to all holy men, were marked out by the prieſts for ſlaughter; and, of all actions, to rid the world of theſe declared enemies to catholic faith and piety, was repreſented as the moſt meritorious [w]. Nature, which in that rude people, was ſufficiently inclined to atrocious deeds, was farther ſtimulated by precept; and national prejudices empoiſoned by thoſe averſions, more deadly and incurable, which aroſe from an enraged ſuperſtition. While death finiſhed the ſufferings of each victim, the bigoted aſſaſſins, with joy and exultation, ſtill echoed in his expiring ears, that theſe agonies were but the commencement of torments, infinite and eternal [x].

SUCH were the barbarities, by which Sir Phelim O'Neale and the Iriſh in Ulſter ſignalized their rebellion: An event, memorable in the annals of human kind, and worthy to be held in perpetual deteſtation and abhorrence. The generous nature of More was ſhocked at the recital of ſuch enormous cruelties. He flew to O'Neale's camp: but found, that his authority, which was ſufficient to excite the Iriſh to an inſurrection, was too feeble to reſtrain their inhumanity. Soon after, he abandoned a cauſe, polluted by ſo many crimes; and he retired into Flanders. Sir Phelim, recommended by the greatneſs of his family, and perhaps too, by the unre-

[s] Temple, p. 99. 106. Ruſh. vol. v. p. 414. [t] Whitlocke, p. 47. Ruſh. vol. v. p. 416. [u] Temple, p. 100. [w] Idem, p. 85, 106. [x] Idem, p. 94. 107, 108. Ruſhworth, vol. v. p. 407.

ſtrained brutality of his nature, though without any courage or capacity, acquired the entire aſcendant over the northern rebels [y]. The Engliſh colonies were totally annihilated in the open country of Ulſter: The Scots, at firſt, met with more favourable treatment. In order to engage them to a paſſive neutrality, the Iriſh pretended to diſtinguiſh between the Britiſh nations; and claiming friendſhip and conſanguinity with the Scots, extended not over them the fury of their maſſacres. Many of them found an opportunity to fly the country: Others retired into places of ſecurity, and prepared themſelves for defence: And by this means, the Scottiſh planters, moſt of them at leaſt, eſcaped with their lives [z].

FROM Ulſter, the flames of rebellion diffuſed themſelves, in an inſtant, over the three provinces of Ireland. In all places, death and ſlaughter were not uncommon; though the Iriſh, in theſe other provinces, pretended to act with moderation and humanity. But cruel and barbarous was their humanity! Not content with expelling the Engliſh their houſes, with deſpoiling them of their goodly manors, with waſting their cultivated fields; they ſtripped them of their very cloaths, and turned them out naked and defenceleſs, to all the ſeverities of the ſeaſon [a]. The heavens themſelves, as if conſpiring againſt that unhappy people were armed with cold and tempeſt, unuſual to that climate, and executed what the mercileſs ſword had left unfiniſhed [b]. The roads were covered with crowds of naked Engliſh, haſtening towards Dublin and other cities, which yet remained in the hands of their countrymen. The feeble age of children, the tender ſex of women, ſoon ſunk under the multiplied rigours of cold and hunger. Here the huſband bidding a final adieu to his expiring family, envied them that fate, which he himſelf expected ſo ſoon to ſhare: There, the ſon, having long ſupported his aged parent, with reluctance obeyed his laſt commands, and abandoning him in this uttermoſt diſtreſs, reſerved himſelf to the hopes of avenging that death, which all his efforts could not prevent or delay. The aſtoniſhing greatneſs of the calamity deprived the ſufferers of any relief from the view of companions in affliction. With ſilent tears, or lamentable cries they hurried on through the hoſtile territories; and found every heart, which was not ſteeled by native barbarity, guarded by the more implacable furies of miſtaken piety and religion [c].

THE ſaving of Dublin preſerved in Ireland the remains of the Engliſh name. The gates of the city, though timorouſly opened, received the wretched ſupplicants, and preſented to the view a ſcene of human miſery beyond what any eye had ever beheld [d]. Compaſſion ſeized the amazed inhabitants, aggravated with the fear of like calamities; while they obſerved the numerous foes without and within, which every where environed them, and reflected on the weak reſources by which they were themſelves

[y] Temple, p. 44. [z] Idem, p. 41. Ruſh. vol. i. p. 416. [a] Temple, p. 42.
[b] Idem, p. 64. [c] Temple, p. 88. [d] Idem, p 62.

ſupported. The more vigorous of the unhappy fugitives to the number of three thouſand, were inliſted into three regiments: The reſt were diſtributed into the houſes; and all care was taken, by diet and warmth, to recruit their feeble and torpid limbs. Diſeaſes of unknown name and ſpecies, derived from theſe multiplied diſtreſſes, ſeized many of them, and put a ſpeedy period to their lives: Others, having now leiſure to reflect on their mighty loſs of friends and fortune, curſed that being which they had ſaved. Abandoning themſelves to deſpair, refuſing all ſuccour, they expired; without other conſolation than that of receiving among their countrymen the honours of a grave, which to their ſlaughtered companions, had been denied by the inhuman barbarians [e].

BY ſome computations, thoſe who periſhed by all theſe cruelties, are ſuppoſed to be a hundred and fifty, or two hundred thouſand: By the moſt moderate, and probably the moſt reaſonable account, they are made to amount to 40,000; if this eſtimation itſelf be not as is uſual in ſuch caſes, ſomewhat exaggerated.

THE juſtices ordered to Dublin all the bodies of the army which were not ſurrounded by the rebels; and they aſſembled a force of 1500 veterans. They ſoon inliſted, and armed from the magazines above 4000 men more. They diſpatched a body of 600 men, to throw relief into Tredah, beſieged by the Iriſh. But theſe troops, attacked by the enemy, were ſeized with a panic, and were moſt of them put to the ſword. Their arms, falling into the hands of the Iriſh, ſupplied them with what they moſt wanted [f]. The juſtices, willing to foment the rebellion, in a view of profiting by the multiplied forfeitures, henceforth thought of nothing more than providing for their own preſent ſecurity and that of the capital. The earl of Ormond, their general, remonſtrated againſt ſuch timid, not to ſay baſe and intereſted counſels; but was obliged to ſubmit to authority.

THE Engliſh of the pale, who probably were not at firſt in the ſecret, pretended to blame the inſurrection, and to deteſt the barbarity with which it was accompained [g]. By their proteſtations and declarations, they engaged the juſtices to ſupply them with arms, which they promiſed to employ in defence of the government [h]. But in a little time, the intereſts of religion were found more prevalent over them, than regard and duty to their mother-country. They choſe lord Gormanſtone their leader; and joining the old Iriſh, rivaled them in every act of violence towards the Engliſh proteſtants. Beſides many ſmaller bodies diſperſed over the kingdom, the principal army of the rebels amounted to twenty thouſand men, and threatened Dublin with an immediate ſiege [i].

BOTH the Engliſh and Iriſh rebels conſpired in one impoſture, with

[e] Temple p. 43, 62. [f] Nalſon, vol. ii. p. 905. [g] Temple, p. 33. Ruſhworth, vol. v. p. 402. [h] Temple, p. 60. Borlaſe Hiſt p. 28. [i] Ruſhworth, vol. v. p. 399. Nalson, vol. ii. p. 520. May, book. iii. p. 6.

which they ſeduced many of their deluded countrymen: They pretended authority from the king and queen, but chiefly from the latter, for their inſurrection; and they affirmed, that the cauſe of their taking arms was to vindicate royal prerogative, now invaded by the puritanical parliament [k]. Sir Phelim O'Neale, having found a royal patent in lord Cauſield's houſe, whom he had murdered, tore off the ſeal, and affixed it to a commiſſion, which he had forged for himſelf [l].

THE king received an account of this inſurrection by a meſſage diſpatched from the north of Ireland. He immediately communicated his intelligence to the Scottiſh parliament. He expected that the mighty zeal, expreſſed by the Scots for the proteſtant religion, would immediately engage them to fly to its defence, where it was ſo violently invaded: He hoped that their horror againſt popery, a religion which now appeared in its moſt horrible aſpect, would ſecond all his exhortations: He had obſerved with what alacrity they had twice run to arms, and aſſembled troops in oppoſition to the rights of their ſovereign: He ſaw with how much greater facility they could now collect forces, which had been very lately diſbanded, and which had been ſo long enured to military diſcipline. The cries of their affrighted and diſtreſſed brethren in Ireland, he promiſed himſelf, would powerfully incite them to ſend over ſuccours, which could arrive ſo quickly, and aid them with ſuch promptitude in this uttermoſt diſtreſs. But the zeal of the Scots, as is uſual among religious ſects, was very feeble, when not ſtimulated either by faction or by intereſt. They now conſidered themſelves entirely as a republic, and made no account of the authority of their prince which they had utterly annihilated. Conceiving hopes from the preſent diſtreſſes of Ireland, they reſolved to make an advantageous bargain for the ſuccours with which they ſhould ſupply their neighbouring nation. And they caſt their eye towards the Engliſh parliament, with whom they were already ſo cloſely connected, and who could alone fulfil any articles which might be agreed on. Except diſpatching a ſmall body to ſupport the Scottiſh colonies in Ulſter, they would, therefore, go no farther at preſent, than ſending commiſſioners to London, in order to treat with that power, to whom the ſovereign authority was now in reality transferred [m].

THE king too, ſenſible of his utter inability to ſubdue the Iriſh rebels, found himſelf obliged, in this exigency, to have recourſe to the Engliſh parliament, and depend on their aſſiſtance for ſupply. After communicating to them the intelligence which he had received, he informed them, that the inſurrection was not, in his opinion, the reſult of any raſh enterprize, but of a formed conſpiracy againſt the crown of England. To their care and wiſdom, therefore, he ſaid he, committed the conduct and

[k] Ruſh. vol. v. p. 400. 401. [l] Idem, ibid. p. 402. [m] Ruſh. vol. v. p. 407.

profecution of the war, which, in a cauſe ſo important to national and religious intereſts muſt of neceſſity be immediately entered upon, and vigorouſly purſued [n].

1641. Meeting of the Engliſh parliament.

The Engliſh parliament was now aſſembled; and diſcovered, in every vote, the ſame diſpoſitions in which they had ſeparated. The exalting of their own authority, the diminiſhing of the king's were ſtill the objects purſued by the majority. Every attempt which had been made to gain the popular leaders, and by offices to attach them to the crown, had failed of ſucceſs, either for want of ſkill in conducting it, or by reaſon of the ſlender preferments, which it was then in the king's power to confer. The ambitious and enterpriſing patriots diſdained to accept, in detail, of a precarious power; while they deemed it ſo eaſy, by one bold and vigorous aſſault, to poſſeſs themſelves for ever of the entire ſovereignty. Senſible that the meaſures which they had hitherto purſued, rendered them extremely obnoxious to the king; were many of them in themſelves exceptionable; ſome of them, ſtrictly ſpeaking, illegal; they reſolved to ſeek their own ſecurity, as well as greatneſs, by enlarging popular authority in England. The great neceſſities to which the king was reduced; the violent prejudices which generally, throughout the nation, prevailed againſt him; his facility in making the moſt important conceſſions; the example of the Scots, whoſe encroachments had totally ſubverted monarchy: All theſe circumſtances farther inſtigated the commons in their invaſion of royal prerogative. And the danger to which the conſtitution ſeemed to have been ſo lately expoſed, perſuaded many that it never could be ſufficiently ſecured, but by the entire abolition of that authority which had invaded it.

BUT this project, it had not been in the power, ſcarcely in the intention of the popular leaders to execute, had it not been for the paſſion which ſeized the nation for preſbyterian diſcipline, and for the wild enthuſiaſm which at that time accompanied it. The licence which the parliament had beſtowed on this ſpirit, by checking eccleſiaſtical authority; the countenance and encouragement with which they had honoured it; had already diffuſed its influence to a wonderful degree: And all orders of men had drunk deep of the intoxicating poiſon. In every diſcourſe or converſation, this mode of religion entered; in all buſineſs it had a ſhare; every elegant pleaſure or amuſement it utterly annihilated; many vices or corruptions of mind it promoted; even diſeaſes and bodily diſtempers were not totally exempted from it; and it became requiſite, we are told, for all phyſicians to be expert in the ſpiritual profeſſion, and, by theological conſiderations, to allay thoſe religious terrors with which their patients were ſo

[n] Clarendon. vol. ii. p. 301.

generally haunted. Learning itſelf, which tends ſo much to enlarge the mind, and humanize the temper, rather ſerved on this occaſion to exalt that epidemical frenzy which prevailed. Rude as yet, and imperfect, it ſupplied the diſmal fanaticiſm with a variety of views, founded it on ſome coherency of ſyſtem, enriched it with different figures of elocution; advantages with which a people, totally ignorant and barbarous, had been happily unacquainted.

FROM policy, at firſt, and inclination, now from neceſſity, the king attached himſelf extremely to the hierarchy: For like reaſons, his enemies were determined, by one and the ſame effort, to overpower the church and monarchy.

WHILE the commons were in this diſpoſition, the Iriſh rebellion was the event which tended moſt to promote the views in which all their meaſures terminated. A horror againſt the papiſts, however innocent, they had conſtantly encouraged; a terror from the conſpiracies of that ſect, however improbable, they had at all times endeavoured to excite. Here was broken out a rebellion, dreadful and unexpected; accompained with circumſtances the moſt deteſtable of which there ever was any record; And what was the peculiar guilt of the Iriſh catholics, it was no difficult matter, in the preſent diſpoſition of men's minds to attribute to that whole ſect, who were already ſo much the object of general abhorrence. Accuſtomed, in all invectives, to join the prelatical party with the papiſts, the people immediately ſuppoſed this inſurrection to be the reſult of their united counſels. And when they had heard that the Iriſh rebels pleaded the king's commiſſion for all their acts of violence; bigotry, ever credulous and malignant, aſſented without ſcruple to that groſs impoſture, and loaded the unhappy prince with the whole enormity of a contrivance ſo barbarous and inhuman [o].

BY the difficulties and diſtreſſes of the crown, the commons, who poſſeſſed alone the power of ſupply, had aggrandized themſelves; and it ſeemed a peculiar happineſs, that the Iriſh rebellion had ſucceeded, at ſo critical a juncture, to the pacification of Scotland. That expreſſion of the king's, by which he committed to them the care of Ireland, they immediately laid hold of, and interpreted in the moſt unlimited ſenſe. They had, on other occaſions, been gradually encroaching on the executive power of the crown, which forms its principal and moſt natural branch of authority; but, with regard to Ireland, they at once aſſumed it, fully and entirely, as if delivered over to them by a regular gift or aſſignment. And to this uſurpation the king was obliged paſſively to ſubmit; both becauſe of his inability to reſiſt, and leſt he ſhould ſtill more expoſe himſelf to the reproach of favouring the progreſs of that odious rebellion.

[o] See note [CC] at the end of the volume.

THE project of introducing farther innovations in England being once formed by the leaders among the commons, it became a neceſſary conſequence, that their operations with regard to Ireland ſhould, all of them, be conſidered as ſubordinate to the former, on whoſe ſucceſs, when once undertaken, their own grandeur, ſecurity, and even being, muſt entirely depend. While they pretended the utmoſt zeal againſt the Iriſh inſurrection, they took no ſteps towards its ſuppreſſion, but ſuch as likewiſe tended to give them the ſuperiority in thoſe commotions, which, they foreſaw, muſt ſo ſoon be excited in England [p]. The extreme contempt entertained for the natives in Ireland, made the popular leaders believe, that it would be eaſy, at any time, to ſuppreſs their rebellion, and recover that kingdom: Nor were they willing to loſe, by too haſty ſucceſs, the advantage which that rebellion would afford them in their projected encroachments on the prerogative. By aſſuming the total management of the war, they acquired the courtſhip and dependence of every one who had any connection with Ireland, or who was deſirous of inliſting in theſe military enterprizes: They levied money under pretence of the Iriſh expedition; but reſerved it for purpoſes which concerned them more nearly: They took arms from the king's magazines; but ſtill kept them with a ſecret intention of employing them againſt himſelf: Whatever law they deemed neceſſary for aggrandizing themſelves, was voted, under colour of enabling them to recover Ireland; and if Charles with-held the royal aſſent, his refuſal was imputed to thoſe pernicious counſels which had at firſt excited the popiſh rebellion, and which ſtill threatened total deſtruction to the proteſtant intereſt throughout all his dominions [q]. And though no forces were for a long time ſent over to Ireland, and very little money remitted, during the extreme diſtreſs of that kingdom; ſo ſtrong was the people's attachment to the commons, that the fault was never imputed to thoſe pious zealots, whoſe votes breathed nothing but death and deſtruction to the Iriſh rebels.

To make the attack on royal authority by regular approaches, it was thought proper to frame a general remonſtrance of the ſtate of the nation; and accordingly, the committee, which, at the firſt meeting of parliament, had been choſen for that purpoſe, and which had hitherto made no progreſs in their work, received freſh injunctions to finiſh that undertaking.

1641 The remonſtrance.

THE committee brought into the houſe that remonſtrance, which has become ſo memorable, and which was ſoon afterwards attended with ſuch important conſequences. It was not addreſſed to the king; but was openly declared to be an appeal to the people. The harſhneſs of the matter

[p] Clarendon, vol. ii. p. 435. Sir Ed. Walker, p. 6.

[q] Nalſon, vol. ii. p. 618. Clarendon, vol. iv. p. 590.

was equalled by the ſeverity of the language. It conſiſts of many groſs falſehoods, intermingled with ſome evident truths: Malignant inſinuations are joined to open invectives: Loud complaints of the paſt, accompanied with jealous prognoſtications of the future. Whatever unfortunate, whatever invidious, whatever ſuſpicious meaſure had been embraced by the king from the commencement of his reign, is inſiſted on and aggravated with mercileſs rhetoric: The unſucceſsful expeditions to Cadiz and the iſle of Rhé, are mentioned: The ſending of ſhips to France for the ſuppreſſion of the hugonots: The forced loans: The illegal confinement of men for not obeying illegal commands: The violent diſſolution of four parliaments: The arbitrary government which always ſucceeded: The queſtioning, fining, and impriſoning of members for their conduct in the houſe: The levying of taxes without conſent of the commons: The introducing of ſuperſtitious innovations into the church, without authority of law: In ſhort, every thing which, either with or without reaſon, had given offence, during the courſe of fifteen years, from the acceſſion of the king to the calling of the preſent parliament. And, though all theſe grievances had been already redreſſed, and even laws enacted for future ſecurity againſt their return, the praiſe of theſe advantages was aſcribed, not to the king, but to the parliament who had extorted his conſent to ſuch ſalutary ſtatutes. Their own merits too, they aſſerted, towards the king, were no leſs eminent, than towards the people. Though they had ſeized his whole revenue, rendered it totally precarious, and made even their temporary ſupplies be paid to their own commiſſioners, who were independent of him; they pretended, that they had liberally ſupported him in his neceſſities. By an inſult ſtill more egregious, the very giving of money to the Scots, for levying war againſt their ſovereign, they repreſented as an inſtance of their duty towards him. And all their grievances, they ſaid, which amounted to no leſs than a total ſubverſion of the conſtitution, proceeded entirely from the formed combination of a popiſh faction, who had ever ſwayed the king's counſels, who had endeavoured, by an uninterrupted effort, to introduce their ſuperſtition into England and Scotland, and who had now at laſt, excited an open and bloody rebellion in Ireland [r].

THIS remonſtrance, ſo full of acrimony and violence, was a plain ſignal for ſome farther attacks intended on royal prerogative, and a declaration, that the conceſſions already made, however important, were not to be regarded as ſatisfactory. What pretenſions would be advanced, how unprecedented, how unlimited, were eaſily imagined; and nothing leſs was foreſeen, whatever ancient names might be preſerved, than an abolition, almoſt total, of the monarchical government of England. The oppoſition, therefore, which the remonſtrance met with in the houſe of commons,

[r] Ruſh. vol. v. p. 438. Nalſon, vol. ii. p. 694.

was great. For above fourteen hours, the debate was warmly managed; and from the weariness of the king's party, which probably consisted chiefly of the elderly people, and men of cool spirits, the vote was at last carried by a small majority of eleven [f]. Some time after, the remonstrance was ordered to be printed and published, without being carried up to the house of peers, for their assent and concurrence.

1641. 22d. Nov. Reasons on both sides.

WHEN this remonstrance was dispersed, it excited every where the same violent controversy, which attended it when introduced into the house of commons. This parliament, said the partizans of that assembly, have at length profited by the fatal example of their predecessors; and are resolved, that the fabric, which they have generously undertaken to rear for the protection of liberty, shall not be left to future ages insecure and imperfect. At the time when the petition of right, that requisite vindication of a violated constitution, was extorted from the unwilling prince; who but imagined that liberty was at last secured, and that the laws would thenceforth maintain themselves in opposition to arbitrary authority? But what was the event! A *right* was indeed acquired to the people, or rather their ancient right was more exactly defined: But as the *power* of invading it still remained in the prince, no sooner did an opportunity offer, than he totally disregarded all laws and preceding engagements, and made his will and pleasure the sole rule of government. Those lofty ideas of monarchical authority, which he has derived from his early education, which are united in his mind with the irresistible illusions of self-love, which are corroborated by his mistaken principles of religion, it is in vain to hope that, in his more advanced age, he will sincerely renounce, from any subsequent reflection or experience. Such conversions, if ever they happen, are extremely rare; but to expect, that they will be derived from necessity, from the jealousy and resentment of antagonists, from blame, from reproach, from opposition, must be the result of the fondest and most blind credulity. These violences, however necessary, are sure to irritate a prince against limitations so cruelly imposed upon him; and each concession, which he is constrained to make, is regarded as a temporary tribute paid to faction and sedition, and is secretly attended with a resolution of seizing every favourable opportunity to retract it. Nor should we imagine, that opportunities of that kind will not offer in the course of human affairs. Governments especially those of a mixed kind, are in continual fluctuation: The humours of the people change perpetually from one extreme to another: And no resolution can be more wise, as well as more just, than that of employing the present advantages against the king, who had formerly pushed much less tempting ones to the utmost extremities against his people and his parliament. It is to be feared, that, if the religious rage which has seized the multitude, be allowed

[f] Whitlocke, p. 49. Dugdale, p. 71. Nalson, vol. ii. p. 662.

to evaporate, they will quickly return to the ancient eccleſiaſtical eſtabliſhment; and, with it, embrace thoſe principles of ſlavery, which it inculcates with ſuch zeal on its ſubmiſſive proſelytes. Thoſe patriots, who are now the public idols, may then become the objects of general deteſtation; and equal ſhouts of joy attend their ignominious execution, with thoſe which ſecond their preſent advantages and triumphs. Nor ought the apprehenſion of ſuch an event to be regarded in them as a ſelfiſh conſideration: In their ſafety is involved the ſecurity of the laws: The patrons of the conſtitution cannot ſuffer without a fatal blow to the conſtitution: And it is but juſtice in the public to protect, at any hazard, thoſe who have ſo generouſly expoſed themſelves to the utmoſt hazard for the public intereſt. What though monarchy, the ancient government of England, be impaired, during theſe conteſts, in many of its former prerogatives: The laws will flouriſh the more by its decay; and it is happy, allowing that matters are really carried beyond the bounds of moderation, that the current at leaſt runs towards liberty, and that the error is on that ſide, which is ſafeſt for the general intereſts of mankind and ſociety.

THE beſt arguments of the royaliſts againſt a farther attack on the prerogative were founded more on oppoſite ideas, which they had formed of the paſt events of this reign, than on oppoſite principles of government. Some invaſions, they ſaid, and thoſe too of moment, had undoubtedly been made on national privileges: But were we to look for the cauſe of theſe violences, we ſhould never find it to conſiſt in the wanton tyranny and injuſtice of the prince, nor even in his ambition or immoderate appetite for authority. The hoſtilities with Spain, in which the king, on his acceſſion, found himſelf engaged, however imprudent and unneceſſary, had proceeded from the advice, and even importunity of the parliament; who deſerted him immediately after they had embarked him in thoſe warlike meaſures. A young prince, jealous of honour, was naturally afraid of being foiled in his firſt enterprize, and had not as yet attained ſuch maturity of counſel, as to perceive that his greateſt honour lay in preſerving the laws inviolate, and gaining the full confidence of his people. The rigour of the ſubſequent parliaments had been extreme with regard to many articles, particularly tonnage and poundage; and had reduced the king to an abſolute neceſſity, if he would preſerve entire the royal prerogative, of levying thoſe duties by his own authority, and of breaking through the forms, in order to maintain the ſpirit, of the conſtitution. Having once made ſo perilous a ſtep, he was naturally induced to continue, and to conſult the public intereſt, by impoſing ſhip-money, and other moderate, though irregular, burthens and taxations. A ſure proof, that he had formed no ſyſtem for enſlaving his people is, that the chief object of his government has been to raiſe a naval, not a military force; a project uſeful, honour-

able, nay indiſpenſibly requiſite, and in ſpite of his great neceſſities, brought almoſt to a happy concluſion. It is now full time to free him from all theſe neceſſities, and to apply cordials and lenitives, after thoſe ſeverities, which have already had their full courſe againſt him. Never was ſovereign bleſſed with more moderation of temper, with more juſtice, more humanity, more honour, or a more gentle diſpoſition. What pity that ſuch a prince ſhould ſo long have been haraſſed with rigours, ſuſpicions, calumnies, complaints, incroachments; and been forced from that path, in which the rectitude of his principles would have inclined him to have conſtantly trod! If ſome few inſtances are found of violations made on the petition of right, which he himſelf had granted; there is an eaſier and more natural way for preventing the return of like inconveniences, than by a total abolition of royal authority. Let the revenue be ſettled, ſuitably to the ancient dignity and ſplendor of the crown; let the public neceſſities be fully ſupplied; let the remaining articles of prerogative be left untouched; and the king, as he has already loſt the power, will lay aſide the will, of invading the conſtitution. From what quarter can jealouſies now ariſe? What farther ſecurity can be deſired or expected? The king's preceding conceſſions, ſo far from being inſufficient for public ſecurity, have rather erred on the other extreme; and, by depriving him of all power of ſelf defence, are the real cauſe why the commons are emboldened to raiſe pretenſions hitherto unheard of in the kingdom, and to ſubvert the whole ſyſtem of the conſtitution. But would they be content with moderate advantages, is it not evident that, beſides other important conceſſions, the preſent parliament may be continued, till the government be accuſtomed to the new track, and every part be reſtored to full harmony and concord? By the triennial act a perpetual ſucceſſion of parliaments is eſtabliſhed, as everlaſting guardians to the laws, while the king poſſeſſes no independent power or military force, by which he can be ſupported in his invaſion of them. No danger remains, but what is inſeparable from all free conſtitutions, and what forms the very eſſence of their freedom: The danger of a change in the people's diſpoſition, and of general diſguſt, contracted againſt popular privileges. To prevent ſuch an evil, no expedient is more proper, than to contain ourſelves within the bounds of moderation, and to conſider, that all extremes, naturally and infallibly, beget each other. In the ſame manner as the paſt uſurpations of the crown, however excuſable on account of the neceſſity or provocations whence they aroſe, have excited an immeaſurable appetite for liberty; let us beware, leaſt our encroachments, by introducing anarchy, make the people ſeek ſhelter under the peaceable and deſpotic rule of a monarch. Authority, as well as liberty, is requiſite to government; and is even requiſite to the ſupport of liberty itſelf, by maintaining the laws which can alone regulate and protect it. What madneſs while every thing is ſo happily ſettled under ancient forms and in-

ſtitutions, now more exactly poiſed and adjuſted, to try the hazardous experiment of a new conſtitution, and renounce the mature wiſdom of our anceſtors for the crude whimſies of turbulent innovators! Beſides the certain and inconceivable miſchiefs of civil war; are not the perils apparent, which the delicate frame of liberty muſt inevitably ſuſtain amidſt the furious ſhock of arms? Whichever ſide prevails, *ſhe* can ſcarcely hope to remain inviolate, and may ſuffer no leſs, or rather greater injuries from the boundleſs pretenſions of forces engaged in her cauſe, than from the invaſion of enraged troops, inliſted on the ſide of monarchy.

THE king, upon his return from Scotland, was received in London with the ſhouts and acclamations of the people, and with every demonſtration of regard and affection [t]. Sir Richard Gournay, lord mayor, a man of moderation and authority, had promoted theſe favourable diſpoſitions, and had engaged the populace, who ſo lately inſulted the king, and who ſo ſoon after made furious war upon him, to give him theſe marks of their dutiful attachment. But all the pleaſure, which Charles reaped from this joyous reception, was ſoon damped by the remonſtrance of the commons, which was preſented him, together with a petition of a like ſtrain. The bad counſels which he followed, are there complained of; his concurrence in the Iriſh rebellion plainly inſinuated; the ſcheme, laid for the introduction of popery and ſuperſtition, inveighed againſt; and, as a remedy for all theſe evils, he is deſired to entruſt every office and command to perſons, in whom his parliament ſhould have cauſe to confide [u]. By this phraſe, which is ſo often repeated in all the memorials and addreſſes of that time, the commons meant themſelves and their adherents. 1641. 25 Nov.

As ſoon as the remonſtrance of the commons was publiſhed, the king diſperſed an anſwer to it. In this conteſt, he lay under great diſadvantages. Not only the ears of the people were extremely prejudiced againſt him; the beſt topics, upon which he could juſtify, at leaſt apologize for his former conduct, were ſuch as it was not ſafe or prudent for him at this time to employ. So high was the national idolatry towards parliaments, that to blame the paſt conduct of theſe aſſemblies, would have been very ill received by the generality of the people. So loud were the complaints againſt regal uſurpations, that, had the king aſſerted the prerogative of ſupplying, by his own authority, the deficiencies in government, ariſing from the obſtinacy of the commons, he would have encreaſed the clamours, with which the whole nation already reſounded. Charles, therefore, contented himſelf, with obſerving, in general, that even during that period, ſo much complained of, the people enjoyed a great meaſure of happineſs,

[t] Ruſhworth, vol. v. p. 429. [u] Idem, ibid. p. 437. Nalſon, vol. ii p. 692.

not only comparatively, in reſpect of their neighbours, but even in reſpect of thoſe times, which were juſtly accounted the moſt fortunate. He made warm proteſtations of ſincerity in the reformed religion; he promiſed indulgence to tender conſciences with regard to the ceremonies of the church; he mentioned his great conceſſions to national liberty: he blamed the infamous libels every-where diſperſed againſt his perſon and the national religion; he complained of the general reproaches thrown out in the remonſtrance, with regard to ill counſels, though he had protected no miniſter from parliamentary juſtice, retained no unpopular ſervant, and conferred offices on no one who enjoyed not a high character and eſtimation in the public. "If, notwithſtanding this," he adds, "any malignant party ſhall take heart, and be willing to ſacrifice the peace and happineſs of their country to their own ſiniſter ends and ambition, under whatever pretence of religion and conſcience; if they ſhall endeavour to leſſen my reputation and intereſt, and to weaken my lawful power and authority; if they ſhall attempt, by diſcountenancing the preſent laws, to looſen the bands of government, that all diſorder and confuſion may break in upon us; I doubt not but God, in his good time, will diſcover them to me, and that the wiſdom and courage of my high court of parliament will join with me in their ſuppreſſion and puniſhment [w]." Nothing ſhows more evidently the hard ſituation in which Charles was placed, than to obſerve, that he was obliged to confine himſelf within the limits of civility towards ſubjects, who had tranſgreſſed all bounds of regard, and even of good manners, in the treatment of their ſovereign.

THE firſt inſtance of thoſe parliamentary encroachments, which Charles was now to look for, was, the bill for preſſing ſoldiers to the ſervice of Ireland. This bill quickly paſſed the lower houſe. In the preamble, the king's power of preſſing, a power exerciſed during all former times, was declared illegal, and contrary to the liberty of the ſubject. By a neceſſary conſequence, the prerogative, which the crown had ever aſſumed, of obliging men to accept of any branch of public ſervice, was aboliſhed and annihilated: A prerogative, it muſt be owned, not very compatible with a limited monarchy. In order to elude this law, the king offered to raiſe 10,000 volunteers for the Iriſh ſervice: But the commons were afraid leſt ſuch an army ſhould be too much at his devotion. Charles, ſtill unwilling to ſubmit to ſo conſiderable a diminution of power, came to the houſe of peers, and offered to paſs the law without the preamble; by which means, he ſaid, that ill-timed queſtion with regard to the prerogative would for the preſent be avoided, and the pretenſions of each party be left entire. Both houſes took fire at this meaſure, which, from a ſimilar inſtance,

[w] Nalſon, vol. ii. p. 748.

while the bill of attainder againſt Strafford was in dependence, Charles might foreſee, would be received with reſentment. The lords, as well as commons, paſſed a vote, declaring it to be a high breach of privilege for the king to take notice of any bill, which was in agitation in either of the houſes, or to expreſs his ſentiments with regard to it, before it be preſented to him for his aſſent in a parliamentary manner. The king was obliged to compoſe all matters by an apology [x].

THE general queſtion, we may obſerve, with regard to privileges of parliament, has always been, and ſtill continues, one of the greateſt myſteries in the Engliſh conſtitution; and, in ſome reſpects, notwithſtanding the accurate genius of that government, theſe privileges are at preſent as undetermined as were formerly the prerogatives of the crown. Such privileges as are founded on long precedent cannot be controverted: But though it were certain, that former kings had not, in any inſtance, taken notice of bills lying before the houſes (which yet appears to have been very common), it follows not, merely from their never exerting ſuch a power, that they had renounced it, or never were poſſeſſed of it. Such privileges alſo as are eſſential to all free aſſemblies which deliberate, they may be allowed to aſſume, whatever precedents may prevail: But though the king's interpoſition, by an offer or advice, does in ſome degree overawe or reſtrain liberty; it may be doubted, whether it impoſes ſuch evident violence as to entitle the parliament, without any other authority or conceſſion, to claim the privilege of excluding it. But this was the favourable time for extending privileges; and had none more exorbitant or unreaſonable been challenged, few bad conſequences had followed. The eſtabliſhment of this rule, it is certain, contributes to the order and regularity, as well as freedom, of parliamentary proceedings.

THE interpoſition of peers in the election of commoners was likewiſe about this time declared a breach of privilege; and continues ever ſince to be condemned by votes of the commons, and univerſally practiſed throughout the nation.

EVERY meaſure purſued by the commons, and ſtill more, every attempt made by their partizans, were full of the moſt inveterate hatred againſt the hierarchy, and ſhowed a determined reſolution of ſubverting the whole eccleſiaſtical eſtabliſhment. Beſides numberleſs vexations and perſecutions, which the clergy underwent from the arbitrary power of the lower houſe; the peers, while the king was in Scotland, having paſſed an order for the obſervance of the laws with regard to public worſhip, the commons aſſumed ſuch authority, that by a vote alone of their houſe, they ſuſpended

[x] Ruſhworth, vol. v. p. 457, 458, &c. Clarendon, vol. ii. p. 327. Nalſon, vol. i. p. 738. 750, 751, &c.

thoſe laws, though enacted by the whole legiſlature: And they particularly forbade bowing at the name of Jeſus; a practice which gave them the higheſt ſcandal, and which was one of their capital objections againſt the eſtabliſhed religion [y]. They complained of the king's filling five vacant ſees, and conſidered it as an inſult upon them, that he ſhould complete and ſtrengthen an order, which they intended ſoon entirely to aboliſh [z]. They had accuſed thirteen biſhops of high treaſon, for enacting canons without conſent of parliament [a], though, from the foundation of the monarchy, no other method had ever been practiſed: And they now inſiſted, that the peers, upon this general accuſation, ſhould ſequeſter thoſe biſhops from their ſeats in parliament, and commit them to priſon. Their bill for taking away the biſhops' votes had laſt winter been rejected by the peers: But they again introduced the ſame bill, though no prorogation had intervened: and they endeavoured by ſome minute alterations, to elude that rule of parliament, which oppoſed them. And when they ſent up this bill to the lords, they made a demand, the moſt abſurd in the world, that the biſhops, being all of them parties, ſhould be refuſed a vote with regard to the queſtion [b]. After the reſolution was once formed by the commons, of invading the eſtabliſhed government of church and ſtate, it could not be expected that their proceedings, in ſuch a violent attempt, would thenceforth be altogether regular and equitable: But it muſt be confeſſed, that, in their attack on the hierarchy, they ſtill more openly paſt all bounds of moderation; as ſuppoſing, no doubt, that the ſacredneſs of the cauſe would ſufficiently atone for employing means the moſt irregular and unprecedented. This principle, which prevails ſo much among zealots, never diſplayed itſelf ſo openly as during the tranſactions of this whole period.

BUT, notwithſtanding theſe efforts of the commons, they could not expect the concurrence of the upper houſe, either to this law or to any other which they ſhould introduce for the farther limitation of royal authority. The majority of the peers adhered to the king, and plainly foreſaw the depreſſion of nobility, as a neceſſary conſequence of popular uſurpations on the crown. The inſolence, indeed of the commons, and their haughty treatment of the lords, had already riſen to a great height, and gave ſufficient warning of their future attempts upon that order. They muttered ſomewhat of their regret that they ſhould be obliged to ſave the kingdom alone, and that the houſe of peers would have no part in the honour. Nay, they went ſo far as openly to tell the lords, "That they "themſelves were the repreſentative body of the whole kingdom, and "that the peers were nothing but individuals, who held their ſeats in

[y] Ruſhworth, vol. v. p. 385, 386. Nalſon, vol. ii. p. 482. [z] Nalſon, vol. ii. p. 511. [a] Ruſh, vol. v. p. 259. [b] Clarendon, vol. ii. p. 304.

"a particular capacity: And therefore, if their lordſhips will not conſent "to the paſſing of acts neceſſary for the preſervation of the people, the "commons, together with ſuch of the lords as are more ſenſible of the "danger, muſt join together, and repreſent the matter to his majeſty." So violent was the democratical, enthuſiaſtic ſpirit diffuſed throughout the nation, that a total confuſion of all rank and order was juſtly to be apprehended; and the wonder was not, that the majority of the nobles ſhould ſeek ſhelter under the throne, but that any of them ſhould venture to deſert it. But the tide of popularity ſeized many, and carried them wide of the moſt eſtabliſhed maxims of civil policy. Among the opponents of the king are ranked the earl of Northumberland, lord admiral, a man of the firſt family and fortune, and endowed with that dignified pride which ſo well became his rank and ſtation: The earl of Eſſex, who inherited all his father's popularity, and having, from his early youth, ſought renown in arms, united to a middling capacity that rigid inflexibility of honour which forms the proper ornament of a nobleman and a ſoldier: Lord Kimbolton, ſoon after earl of Mancheſter, a perſon diſtinguiſhed by humanity, generoſity, affability, and every amiable virtue. Theſe men, finding that their credit ran high with the nation, ventured to encourage thoſe popular diſorders, which, they vainly imagined, they poſſeſſed authority ſufficient to regulate and controul.

In order to obtain a majority in the upper houſe, the commons had recourſe to the populace, who, on other occaſions, had done them ſuch important ſervice. Amidſt the greateſt ſecurity, they affected continual fears of deſtruction to themſelves and the nation, and ſeemed to quake at every breath or rumour of danger. They again excited the people by never ceaſing enquiries after conſpiracies, by reports of inſurrections, by feigned intelligence of invaſions from abroad, by diſcoveries of dangerous combinations at home amongſt papiſts and their adherents. When Charles diſmiſſed the guard which they had ordered during his abſence, they complained; and, upon his promiſing them a new guard, under the command of the earl of Lindeſey, they abſolutely refuſed the offer, and were well pleaſed to inſinuate, by this inſtance of jealouſy, that their danger chiefly aroſe from the king himſelf[d]. They ordered halberts to be brought into the hall where they aſſembled, and thus armed themſelves againſt thoſe conſpiracies with which, they pretended they were hourly threatened. All ſtories of plots, however ridiculous, were willingly attended to, and were diſperſed among the multitude, to whoſe capacity they were well adapted. Beale, a taylor, informed the commons, that, walking in the fields, he had hearkened to the diſcourſe of certain perſons, unknown to him, and had heard them talk of a moſt dan-

[c] Clarendon, vol. ii. p. 415. [d] Journ. 30th Nov. 1641. Nalſon, vol. ii. p. 688.

gerou conſpiracy. A hundred and eight ruffians, as he learned, had been appointed to murder a hundred and eight lords and commoners, and were promiſed rewards for theſe aſſaſſinations, ten pounds for each lord, forty ſhillings for each commoner. Upon this notable intelligence, orders were iſſued for ſeizing prieſts and jeſuits, a conference was deſired with the lords, and the deputy-lieutenants of ſome ſuſpected counties were ordered to put the people in a poſture of defence [e].

THE pulpits likewiſe were called in aid, and reſounded with the dangers which threatened religion, from the deſperate attempts of papiſts and malignants. Multitudes flocked towards Weſtminſter, and inſulted the prelates and ſuch of the lords as adhered to the crown. The peers voted a declaration againſt thoſe tumults, and ſent it to the lower houſe; but theſe refuſed their concurrence [f]. Some ſeditious apprentices, being ſeized and committed to priſon, immediately received their liberty by an order of the commons [g]. The ſheriffs and juſtices having appointed conſtables with ſtrong watches to guard the parliament, the commons ſent for the conſtables, and required them to diſcharge the watches, convened the juſtices, voted their orders a breach of privilege, and ſent one of them to the Tower [h]. Encouraged by theſe intimations of their pleaſure, the populace crowded about Whitehall, and threw out inſolent menaces againſt Charles himſelf. Several reduced officers and young gentlemen of the inns of court, during this time of diſorder and danger, offered their ſervice to the king. Between them and the populace there paſſed frequent ſkirmiſhes, which ended not without bloodſhed. By way of reproach, theſe gentlemen gave the rabble the appellation of ROUNDHEADS, on account of the ſhort cropt hair which they wore: Theſe called the others CAVALIERS. And thus the nation, which was before ſufficiently provided with religious as well as civil cauſes of quarrel, was alſo ſupplied with party-names, under which the factions might rendezvous, and ſignalize their mutual hatred [i].

MEANWHILE the tumults ſtill continued, and even encreaſed, about Weſtminſter and Whitehall. The cry inceſſantly reſounded againſt *biſhops and rotten-hearted lords* [k]. The former eſpecially being diſtinguiſhable by their habit, and being the object of violent hatred to all the ſectaries, were expoſed to the moſt dangerous inſults [l]. Williams, now created archbiſhop of York, having been abuſed by the populace, haſtily called a meeting of his brethren. By his advice, a proteſtation
1641. December 17. was drawn, and addreſſed to the king and the houſe of lords. The biſhops there ſet forth, that though they had an undoubted right to

[e] Nalſon, vol. ii. p. 646. Journ. 16th Nov. 1641. Dugdale, p. 77. [f] Ruſhworth, part. iii, p. 710. [g] Nalſon, vol. ii. p. 784. 792. [h] Ibid. p. 792. Journ, 27th, 28th, and 29th of December, 1641. [i] Clarendon, vol. ii. p 339.
[k] Idem, ibid. p. 336. [l] Dugdale, p. 78.

ſit and vote in parliament, yet in coming thither, they had been menaced, aſſaulted, affronted, by the unruly multitude, and could no longer with ſafety attend their duty in the houſe. For this reaſon they proteſted againſt all laws, votes, and reſolutions, as null and invalid, which ſhould paſs during the time of their conſtrained abſence. This proteſtation, which, though juſt and legal, was certainly ill-timed, was ſigned by twelve biſhops, and communicated to the king, who haſtily approved of it. As ſoon as it was preſented to the lords, that houſe deſired a conference with the commons, whom they informed of this unexpected proteſtation. The opportunity was ſeized with joy and triumph. An impeachment of high treaſon was immediately ſent up againſt the biſhops, as endeavouring to ſubvert the fundamental laws, and to invalidate the authority of the legiſlature[m]. They were, on the firſt demand, ſequeſtered from parliament, and committed to cuſtody. No man, in either houſe, ventured to ſpeak a word in their vindication; ſo much diſpleaſed was every one at the egregious imprudence, of which they had been guilty. One perſon alone ſaid, that he did not believe them guilty of high treaſon; but that they were ſtark mad, and therefore deſired that they might be ſent to Bedlam[n].

1641. Impeachment of biſhops.

A FEW days after, the king was betrayed into another indiſcretion, much more fatal: An indiſcretion, to which all the enſuing diſorders and civil wars ought immediately and directly to be aſcribed. This was the impeachment of Kimbolton and the five members.

WHEN the commons employed, in their remonſtrance, language ſo ſevere and indecent, they had not been actuated entirely by inſolence and paſſion: Their views were more ſolid and profound. They conſidered, that in a violent attempt, ſuch as an invaſion of the ancient conſtitution, the more leiſure was afforded the people to reflect, the leſs would they be inclined to ſecond that raſh and dangerous enterprize; that the peers would certainly refuſe their concurrence, nor were there any hopes of prevailing on them, but by inſtigating the populace to tumult and diſorder; that the employing ſuch odious means for ſo invidious an end, would, at the long-run, loſe them all their popularity, and turn the tide of favour to the contrary party; and that if the king only remained in tranquillity and cautiouſly eluded the firſt violence of the tempeſt, he would, in the end, certainly prevail, and be able at leaſt to preſerve the ancient laws and conſtitution. They were therefore reſolved, if poſſible, to excite him to ſome violent paſſion; in hopes that he would commit indiſcretions, of which they might make advantage.

IT was not long before they ſucceeded beyond their fondeſt wiſhes.

[m] Whitlocke, p. 51. Ruſhworth, vol. v. p. 466. Nalſon, vol ii. p. 794.
[n] Clarendon, vol ii. p. 355.

Charles was enraged to find that all his conceſſions but encreaſed their demands; that the people, who were returning to a ſenſe of duty towards him, were again rouſed to ſedition and tumults; that the blackeſt calumnies were propagated againſt him, and even the Iriſh maſſacre aſcribed to his counſels and machinations; and that a method of addreſs was adopted not only unſuitable towards ſo great a prince, but which no private gentleman could bear without reſentment. When he conſidered all theſe increaſing acts of inſolence in the commons, he was apt to aſcribe them, in a great meaſure, to his own indolence and facility. The queen and the ladies of the court farther ſtimulated his paſſion, and repreſented, that if he exerted the vigour, and diſplayed the majeſty of a monarch, the daring uſurpations of ſubjects would ſhrink before him. Lord Digby, a man of fine parts, but full of levity, and hurried on by precipitate paſſion, ſuggeſted like counſels; and Charles, who, though commonly moderate in his temper, was ever diſpoſed to haſty reſolutions, gave way to the fatal importunity of his friends and ſervants [o].

1642 Accuſation of the five members.

HERBERT, attorney general, appeared in the houſe of peers, and, in his majeſty's name, entered an accuſation of high treaſon againſt lord Kimbolton and five commoners, Hollis, Sir Arthur Hazlerig, Hambden, Pym, and Strode. The articles were, That they had traiterouſly endeavoured to ſubvert the fundamental laws and government of the kingdom, to deprive the king of his regal power, and to impoſe on his ſubjects an arbitrary and tyrannical authority; that they had endeavoured by many foul aſperſions on his majeſty and his government, to alienate the affections of his people, and make him odious to them; that they had attempted to draw his late army to diſobedience of royal commands, and to ſide with them in their traiterous deſigns; that they had invited and encouraged a foreign power to invade the kingdom; that they had aimed at ſubverting the rights and very being of parliament; and that in order to complete their traiterous deſigns, they had endeavoured, as far as in them lay, by force and terror, to compel the parliament to join with them, and, to that end, had actually raiſed and countenanced tumults againſt the king and parliament; and that they had traiterouſly conſpired to levy, and actually had levied war againſt the king [p].

THE whole world ſtood amazed at this important accuſation, ſo ſuddenly entered upon, without concert, deliberation, or reflection. Some of theſe articles of accuſation, men ſaid, to judge by appearance, ſeem to be common between the impeached members and the parliament; nor did theſe perſons appear any farther active in the enterprizes, of which they

[o] Clarendon, vol. ii. p. 360. [p] Whitlocke, p. 50. Ruſhworth, vol. v. p. 473. Nalſon, vol. ii. p. 811. Franklyn, p. 906.

were accuſed, than ſo far as they concurred with the majority in their votes and ſpeeches. Though proofs might perhaps be produced, of their privately inviting the Scots to invade England; how could ſuch an attempt be conſidered as treaſon, after the act of oblivion which had paſſed, and after that both houſes, with the king's concurrence, had voted that nation three hundred thouſand pounds for their brotherly aſſiſtance! While the houſe of peers are ſcarcely able to maintain their independency, or to reject the bills ſent them by the commons; will they ever be permitted by the populace, ſuppoſing them inclined, to paſs a ſentence, which muſt totally ſubdue the lower houſe, and put an end to their ambitious undertakings? Theſe five members, at leaſt Pym, Hambden, and Hollis, are the very heads of the popular party; and if theſe be taken off, what fate muſt be expected by their followers, who are many of them accomplices in the ſame treaſon? The puniſhment of the leaders is ever the laſt triumph over a broken and routed party; but ſurely was never before attempted, in oppoſition to a faction during the full tide of its power and ſucceſs.

BUT men had not leiſure to wonder at the indiſcretion of this meaſure: Their aſtoniſhment was excited by new attempts, ſtill more precipitate and imprudent. A ſerjeant at arms in the king's name, demanded of the houſe the five members; and was ſent back without any poſitive anſwer. Meſſengers were employed to ſearch for them and arreſt them. Their trunks, chambers, and ſtudies, were ſealed and locked. The houſe voted all theſe acts of violence to be breaches of privilege, and commanded every one to defend the liberty of the members[q]. The king irritated by all this oppoſition, reſolved next day to come in perſon to the houſe, with an intention to demand, perhaps ſeize in their preſence, the perſons whom he had accuſed.

THIS reſolution was diſcovered to the Counteſs of Carliſle, ſiſter to Northumberland, a lady of ſpirit, wit, and intrigue[r]. She privately ſent intelligence to the five members; and they had time to withdraw, a moment before the king entered. He was accompanied by his ordinary retinue to the number of above two hundred, armed, as uſual, ſome with halberts, ſome with walking ſwords. The king left them at the door, and he himſelf advanced alone through the hall; while all the members roſe to receive him. The ſpeaker left the chair, and the king took poſſeſſion of it. The ſpeech, which he made, was as follows: "Gentlemen, I am "ſorry for this occaſion of coming to you. Yeſterday I ſent a ſerjeant "at arms, to demand ſome, who by my order, were accuſed of high trea-"ſon. Inſtead of obedience, I received a meſſage. I muſt here declare "to you, that, though no king, that ever was in England, could be more

[q] Whitlocke, p. 50. Ruſhworth, vol. v. p. 474, 475. [r] Whitlocke, p. 54.
[s] Warwick, p. 204.

"careful of your privileges than I ſhall be, yet in caſes of treaſon no "perſon has privilege. Therefore, am I come to tell you, that I muſt "have theſe men whereſoever I can find them. Well, ſince I ſee all the "birds are flown, I do expect that you will ſend them to me as ſoon as "they return. But I aſſure you, on the word of king, I never did intend "any force, but ſhall proceed againſt them in a fair and legal way: For I "never meant any other. And now ſince I ſee I cannot do what I came "for I think this no unfit occaſion to repeat what I have ſaid formerly, "that whatever I have done in favour and to the good of my ſubjects, "I do intend to maintain it [s]."

WHEN the king was looking around for the accuſed members he aſked the ſpeaker, who ſtood below, whether any of theſe perſons were in the houſe? The ſpeaker, falling on his knee, prudently replied: "I have, "Sir, neither eyes to ſee, nor tongue to ſpeak in this place, but as the "houſe is pleaſed to direct me, whoſe ſervant I am. And I humbly "aſk pardon, that I cannot give any other anſwer to what your majeſty "is pleaſed to demand of me [t]."

THE commons were in the utmoſt diſorder; and, when the king was departing, ſome members cried aloud, ſo as he might hear them, *Privilege! privilege!* And the houſe immediately adjourned till next day [u].

THAT evening, the accuſed members, to ſhow the greater apprehenſion, removed into the city, which was their fortreſs. The citizens were the whole night in arms. Some people, who were appointed for that purpoſe, or perhaps actuated by their own terrors, ran from gate to gate, crying out, that the cavaliers were coming to burn the city, and that the king himſelf was at their head.

NEXT morning Charles ſent to the mayor, and ordered him to call a common council immediately. About ten o'clock, he himſelf attended only by three or four lords, went to Guildhall. He told the council, that he was ſorry to hear of the apprehenſions entertained of him; that he was come to them without any guard, in order to ſhew how much he relied on their affections; and that he had accuſed certain men of high treaſon, againſt whom he would proceed in a legal way, and therefore preſumed that they would not meet with protection in the city. After many other gracious expreſſions, he told one of the ſheriffs, who, of the two was thought the leaſt inclined to his ſervice, that he would dine with him. He departed the hall without receiving the applauſe, which he expected. In paſſing through the ſtreets, he heard the cry, *Privilege of parliament; Privilege of parliament!* reſounding from all quarters. One of the populace, more inſolent than the reſt, drew nigh to his coach, and called

[s] Whitlocke, p. 50. [t] Idem, Ibid. May, book, ii. p. 20. [u] Whitlocke, p. 51

out with a loud voice, *To your tents, O Iſrael!* the words employed by the mutinous Iſraelites, when they abandoned Rehoboam, their raſh and ill-counſelled ſovereign [w].

WHEN the houſe of commons met, they affected the greateſt diſmay; and adjourning themſelves for ſome days, ordered a committee to ſit in merchant-taylors hall in the city. The committee made an exact inquiry into all circumſtances attending the king's entry into the houſe: Every paſſionate ſpeech, every menacing geſture of any, even the meaneſt of his attendants was recorded and aggravated. An intention of offering violence to the parliament, of ſeizing the accuſed members in the very houſe, and of murdering all who ſhould make reſiſtance, was inferred, And that unparalleled breach of privilege, ſo it was called, was ſtill aſcribed to the counſel of papiſts and their adherents. This expreſſion, which then recurred every moment in ſpeeches and memorials, and which, at preſent, is ſo apt to excite laughter in the reader, begat at that time the deepeſt and moſt real conſternation throughout the kingdom.

A LETTER was pretended to be intercepted, and was communicated to the committee, who pretended to lay great ſtreſs upon it. One catholic there congratulates another on the accuſation of the members; and repreſents that incident as a branch of the ſame pious contrivance, which had excited the Iriſh inſurrection, and by which the profane heretics would ſoon be exterminated in England [x].

THE houſe again met; and after confirming the votes of their committee, inſtantly adjourned, as if expoſed to the moſt imminent perils from the violence of their enemies. This practice they continued for ſome time. When the people by theſe affected panics, were wrought up to a ſufficient degree of rage and terror, it was thought proper, that the accuſed members ſhould, with a triumphant and military proceſſion, take their ſeats in the houſe. The river was covered with boats, and other veſſels laden with ſmall pieces of ordnance, and prepared for fight. Skippon, whom the parliament had appointed, by their own authority major general of the city-militia [y], conducted the members, at the head of this tumultuary army, to Weſtminſter hall. And when the populace by land and by water, paſſed Whitehall, they ſtill aſked with inſulting ſhouts, *What was become of the king and his cavaliers? And whither are they fled* [z]? 1642. Tumults.

THE king, apprehenſive of danger from the enraged multitude, had retired to Hampton-court, deſerted by all the world, and overwhelmed with grief, ſhame, and remorſe, for King Leaves London.

[w] Ruſhworth, vol. v. p. 479. Clarendon, vol. ii. p. 361. [x] Nalſon, vol ii. p. 836.
[y] Ibid. vol. ii. p. 833. Whitlocke, p. 52. [z] Dugdale, p. 8. Clarendon, vol. ii. p. 380.

the fatal meaſures into which he had been hurried. His diſtreſſed ſituation he could no longer aſcribe to the rigors of deſtiny, or the malignity of enemies: His own precipitancy and indiſcretion muſt bear the blame of whatever diſaſters ſhould henceforth befal him. The moſt faithful of his adherents, between ſorrow and indignation, were confounded with reflections on what had happened, and what was likely to follow. Seeing every proſpect blaſted, faction triumphant, the diſcontented populace inflamed to a degree of fury, they utterly deſpaired of ſucceſs, in a cauſe, to whoſe ruin friends and enemies ſeemed equally to conſpire.

THE prudence of the king, in his conduct of this affair, nobody pretended to juſtify. The legality of his proceedings met with many and juſt apologies; though generally offered to unwilling ears. No maxim of law, it was ſaid, is more eſtabliſhed or more univerſally allowed, than that privilege of parliament extends not to treaſon, felony, or breach of peace; nor has either houſe, during former ages, ever pretended, in any of thoſe caſes, to interpoſe in behalf of its members. Though ſome inconveniences ſhould reſult from the obſervance of this maxim; that would not be ſufficient, without other authority, to aboliſh a principle eſtabliſhed by uninterrupted precedent, and founded on the tacit conſent of the whole legiſlature. But what are the incoveniences ſo much dreaded? The king, on pretence of treaſon, may ſeize any members of the oppoſite faction, and, for a time, gain to his partizans the majority of voices. But if he ſeize only a few; will he not loſe more friends, by ſuch a groſs artifice, than he confines enemies? If he ſeize a great number; is not this expedient, force, open and barefaced? And what remedy, at all times, againſt ſuch force, but to oppoſe to it a force, which is ſuperior? Even allowing that the king intended to employ violence, not authority, for ſeizing the members; though at that time, and ever afterwards, he poſitively aſſerted the contrary; yet will his conduct admit of excuſe. That the hall, where the parliament aſſembles, is an inviolable ſanctuary, was never yet pretended. And if the commons complain of the affront offered them, by an attempt to arreſt their members in their very preſence; the blame muſt lie entirely on themſelves, who had formerly refuſed compliance with the king's meſſage, when he peaceably demanded theſe members. The ſovereign is the great executor of the laws; and his preſence was here legally employed, both in order to prevent oppoſition, and to protect the houſe againſt thoſe inſults which their diſobedience had ſo well merited.

CHARLES knew to how little purpoſe he ſhould urge theſe reaſons againſt the preſent fury of the commons. He propoſed, therefore, by a meſſage, that they would agree upon a legal method, by which he might carry on his proſecution againſt the members, leſt farther miſunderſtand-

ings happen with regard to privilege. They desired him to lay the grounds of accusation before the house; and pretended that they must first judge, whether it were proper to give up their members to a legal trial. The king then informed them, that he would wave, for the present, all prosecution: By successive messages, he afterwards offered a pardon to the members; offered to concur in any law that should acquit or secure them, offered any reparation to the house for the breach of privilege, of which, he acknowledged, they had reason to complain [b]. They were resolved to accept of no satisfaction, unless he would discover his advisers in that illegal measure: A condition, to which, they knew, that, without rendering himself for ever vile and contemptible, he could not possibly submit. Meanwhile, they continued to thunder against the violation of parliamentary privileges, and, by their violent outcries, to inflame the whole nation. The secret reason of their displeasure, however obvious, they carefully concealed. In the king's accusation of the members, they plainly saw his judgment of the late parliamentary proceedings; and every adherent of the ruling faction dreaded the same fate, should royal authority be re-established in its ancient lustre. By the most unhappy conduct, Charles, while he extremely augmented, in his opponents, the will, had also encreased the ability, of hurting him.

THE more to excite the people, whose dispositions were already very seditious, the expedient of petitioning was renewed. A petition from the county of Buckingham was presented to the house by six thousand subscribers who promised to live and die in defence of the privileges of parliament [c]. The city of London, the county of Essex, that of Hertford, Surrey, Berks, imitated the example. A petition from the apprentices was graciously received [d]. Nay, one was encouraged from the porters; whose numbers amounted, as they said, to fifteen thousand [e]. The address of that great body contained the same articles with all the others; the privileges of parliament, the danger of religion, the rebellion of Ireland, the decay of trade. The porters farther desired, that justice might be done upon offenders, as the atrociousness of their crimes had deserved. And they added, *That if such remedies were any longer suspended, they should be forced to extremities not fit to be named, and make good the saying*, "That "necessity has no law [f]."

ANOTHER petition was presented by several poor people, or beggars, in the name of many thousands more; in which the petitioners proposed as a remedy for the public miseries, *That those noble worthies of the house of*

[b] Dugdale, p. 84. Rushworth, vol. v. p. 484. 488. 492, &c. [c] Rushworth, vol. v. p. 487. [d] Idem, ibid. p. 462. [e] Dugdale, p. 87. [f] Clarendon, vol ii. p. 412.

peers, who concur with the happy votes of the commons, may ſeparate themſelves from the reſt, and ſit and vote as one intire body. The commons gave thanks for this petition [g].

THE very women were ſeized with the ſame rage. A brewer's wife, followed by many thouſands of her ſex, brought a petition to the houſe; n which the petitioners expreſſed their terror of the papiſts and prelates, and their dread of like maſſacres, rapes, and outrages, with thoſe which had been committed upon their ſex in Ireland. They had been neceſſitated, they ſaid, to imitate the example of the woman of Tekoah: And they claimed equal right with the men, of declaring, by petition, their ſenſe of the public cauſe; becauſe Chriſt had purchaſed them at as dear a rate, and in the free enjoyment of Chriſt conſiſts equally the happineſs of both ſexes. Pym came to the door of the houſe; and, having told the female zealots, that their petition was thankfully accepted, and was preſented in a ſeaſonable time, he begged that their prayers for the ſucceſs of the commons might follow their petition. Such low arts of popularity were affected! And by ſuch illiberal cant were the unhappy people incited to civil diſcord and convulſions!

IN the mean time, not only all petitions which favoured the church or monarchy, from whatever hand they came, were diſcouraged; but the petitioners were ſent for, impriſoned, and proſecuted as delinquents: And this unequal conduct was openly avowed and juſtified. Whoever deſire a change, it was ſaid, muſt expreſs their ſentiments; for how, otherwiſe, ſhall they be known? But thoſe who favour the eſtabliſhed government in church or ſtate, ſhould not petition; becauſe they already enjoy what they wiſh for [h].

THE king had poſſeſſed a great party in the lower houſe, as appeared in the vote for the remonſtrance; and this party, had every new cauſe of diſguſt been carefully avoided, would ſoon have become the majority; from the odium attending the violent meaſures, embraced by the popular leaders. A great majority he always poſſeſſed in the houſe of peers, even after the biſhops were confined or chaſed away; and this majority could not have been overcome, but by outrages, which, in the end, would have drawn diſgrace and ruin on thoſe who incited them. By the preſent fury of the people, as by an inundation, were all theſe obſtacles ſwept away, and every rampart of royal authority laid level with the ground. The victory was purſued with impetuoſity by the ſagacious commons, who knew the importance of a favourable moment in all popular commotions. The terror of their authority they extended over the whole nation; and all oppoſition,

[g] Clarendon, vol. ii. p. 413. [h] Idem, ibid. p. 449.

and even all blame vented in private converſation, were treated as the moſt atrocious crimes, by theſe ſevere inquiſitors. Scarcely was it permitted to find fault with the conduct of any particular member, if he made a figure in the houſe; and reflections, thrown out on Pym, were at this time treated as breaches of privilege. The populace without doors were ready to execute, from the leaſt hint, the will of their leaders; nor was it ſafe for any member to approach either houſe, who pretended to controul or oppoſe the general torrent. After ſo undiſguiſed a manner was this violence conducted, that Hollis, in a ſpeech to the peers, deſired to know the names of ſuch members as ſhould vote contrary to the ſentiments of the commons [i]: And Pym ſaid to the lower houſe, that the people muſt not be reſtrained in the expreſſions of their juſt deſires [k].

By the flight, or terror, or deſpondency of the king's party, an undiſputed majority remained every-where to their opponents; and the bills ſent up by the commons, which had hitherto ſtopped with the peers, and would certainly have been rejected, now paſſed, and were preſented for the royal aſſent. Theſe were, the preſſing bill with its preamble, and the bill againſt the votes of the biſhops in parliament. The king's authority was at that time reduced to the loweſt ebb. The queen too, being ſecretly threatened with an impeachment, and finding no reſource in her huſband's protection, was preparing to retire into Holland. The rage of the people was, on account of her religion, as well as her ſpirit and activity, univerſally levelled againſt her. Uſage, the moſt contumelious, ſhe had hitherto borne with ſilent indignation. The commons, in their fury againſt prieſts, had ſeized her very confeſſor; nor would they releaſe him upon her repeated applications. Even a viſit of the prince to his mother had been openly complained of, and remonſtrances againſt it had been preſented to her [l]. Apprehenſive of attacks ſtill more violent, ſhe was deſirous of facilitating her eſcape: and ſhe prevailed with the king to paſs theſe bills, in hopes of appeaſing, for a time, the rage of the multitude [m].

THESE new conceſſions, however important, the king immediately found to have no other effect, than had all the preceding ones: They were made the foundation of demands ſtill more exorbitant. From the facility of his diſpoſition, from the weakneſs of his ſituation, the commons believed, that he could now refuſe them nothing. And they regarded the leaſt moment of relaxation, in their invaſion of royal authority, as highly impolitic, during the uninterrupted torrent of their ſucceſſes. The very moment they were informed of theſe laſt acquiſitions, they affronted the queen, by opening ſome intercepted letters written to her by lord Digby: They carried up an impeachment againſt Herbert, attorney-general, for obeying his

[i] King's Declar. of 12th of Auguſt. 1642. [k] Ibid. [l] Nalſon, vol. ii. p. 512. [m] Clarendon, vol. ii. p. 428.

maſter's commands in accuſing their members [n]. And they proſecuted, with freſh vigour, their plan of the militia, on which they reſted all future hopes of an uncontrouled authority.

THE commons were ſenſible, that monarchical government, which, during ſo many ages, had been eſtabliſhed in England, would ſoon regain ſome degree of its former dignity, after the preſent tempeſt was overblown; nor would all their new-invented limitations be able totally to ſuppreſs an authority, to which the nation had ever been accuſtomed. The ſword alone, to which all human ordinances muſt ſubmit, could guard their acquired power, and fully enſure to them perſonal ſafety againſt the riſing indignation of their ſovereign. This point, therefore, became, the chief object of their aims. A large magazine of arms being placed in the town of Hull, they diſpatched thither Sir John Hotham, a gentleman of conſiderable fortune in the neighbourhood, and of an ancient family; and they gave him the authority of governor. They ſent orders to Goring, governor of Portſmouth, to obey no commands but ſuch as he ſhould receive from the parliament. Not content with having obliged the king to diſplace Lunsford, whom he had appointed governor of the Tower [o], they never ceaſed ſoliciting him, till he had alſo diſplaced Sir John Biron, a man of unexceptionable character, and had beſtowed that command on Sir John Conyers, in whom alone, they ſaid, they could repoſe confidence. After making a fruitleſs attempt, in which the peers refuſed their concurrence, to give public warning, that the people ſhould put themſelves in a poſture of defence againſt the enterprizes of *papiſts and other ill-affected perſons* [p], they now reſolved, by a bold and deciſive ſtroke, to ſeize at once the whole power of the ſword, and to confer it entirely on their own creatures and adherents.

THE ſevere votes paſſed in the beginning of this parliament, againſt lieutenants and their deputies, for exerciſing powers aſſumed by all their predeceſſors, had totally diſarmed the crown, and had not left in any magiſtrate military authority, ſufficient for the defence and ſecurity of the nation. To remedy this inconvenience now appeared neceſſary. A bill was introduced and paſſed the two houſes, which reſtored to lieutenants and deputies the ſame powers of which the votes of the commons had bereaved them; but at the ſame time the names of all the lieutenants were inſerted in the bill, and theſe conſiſted entirely of men, in whom the parliament could confide. And for their conduct, they were accountable, by the expreſs terms of the bill, not to the king, but to the parliament.

THE policy purſued by the commons, and which had hitherto ſucceeded

[n] Ruſh. vol. v. p. 489. Clarendon, vol. ii. p. 385.
[o] Ruſh. vol. v. p. 459.
[p] Nalſon, vol. ii p. 850.

to admiration, was, to aſtoniſh the king by the boldneſs of their enterprizes, to intermingle no ſweetneſs with their ſeverity, to employ expreſſions leſs violent than their pretenſions, and to make him ſenſible in what little eſtimation they held both his perſon and his dignity. To a bill ſo deſtructive of royal authority, they prefixed, with an inſolence ſeemingly wanton, a preamble equally diſhonourable to the perſonal character of the king. Theſe are the words: "Whereas there has been of late a moſt dangerous "and deſperate deſign upon the houſe of commons, which we have juſt cauſe "to believe an effect of the bloody counſels of papiſts and other ill-affec-"ted perſons, who have already raiſed a rebellion in the kingdom of Ireland. "And whereas, by reaſon of many diſcoveries, we cannot but fear they "will proceed, not only to ſtir up the like rebellions and inſurrections in "this kingdom of England; but alſo to back them with forces from a-"broad, &c [q]."

HERE Charles firſt ventured to put a ſtop to his conceſſions; and that not by a refuſal, but a delay. When this demand was made; a demand which, if granted, the commons juſtly regarded as the laſt they ſhould ever have occaſion to make; he was at Dover, attending the queen and the princeſs of Orange, in their embarkation. He replied, that he had not now leiſure to conſider a matter of ſo great importance, and muſt therefore reſpite his anſwer till his return [r]. The parliament inſtantly diſpatched another meſſage to him, with ſolicitations ſtill more importunate. They expreſſed their great grief on account of his majeſty's anſwer to their juſt and neceſſary petition. They repreſented, that any delay, during dangers and diſtractions ſo great and preſſing, was not leſs unſatisfactory and deſtructive than an abſolute denial. They inſiſted, that it was their duty to ſee put in execution a meaſure ſo neceſſary for public ſafety. And they affirmed, that the people, in many counties, had applied to them for that purpoſe, and, in ſome places, were, of themſelves, and by their own authority, providing againſt thoſe urgent dangers with which they were threatened [s]. 1642. 22d Feb. 28th Feb.

EVEN after this inſolence, the king durſt not venture upon a flat denial. Beſides excepting to the preamble, which threw ſuch diſhonour upon him, and proteſting the innocence of his intentions when he entered the houſe of commons; he only deſired that the military authority, if it were defective, ſhould firſt be conferred upon the crown; and he promiſed to beſtow commiſſions, but ſuch as ſhould be revocable at pleaſure, on the ſame perſons whom the parliament had named in the bill [t]. By a former meſſage he had expreſſed his wiſhes, that they would lay before him, in one view, all

[q] Ruſh. vol. v. p. 513. [r] Ibid. vol. v. p. 521. [s] Idem, ibid.
[t] Idem, ibid.

the conceſſions which they deemed requiſite for the ſettlement of the nation. They pretended that they were expoſed to perils ſo dreadful and imminent, that they had not leiſure for ſuch a work [u]. The expedient propoſed by the king ſeemed a ſufficient remedy during this emergence; and yet maintained the prerogatives of the crown entire and unbroken.

1642. 1ſt March. BUT the intentions of the commons were wide of this purpoſe, and their panics could be cured by one remedy alone. They inſtantly replied, that the dangers and diſtempers of the nation were ſuch as could endure no longer delay, and, unleſs the king ſpeedily complied with their demands, they ſhould be conſtrained, for the ſafety of prince and people, to diſpoſe of the militia by the authority of both houſes, and were reſolved to do it accordingly. They aſſerted, that thoſe parts of the kingdom which had, from their own authority put themſelves in a poſture of defence during theſe prevailing fears and jealouſies, had acted ſuitably to the declarations and directions of both houſes, and conformably to the laws of the kingdom. And while they thus menaced the king with their power, they invited him to fix his reſidence at London, where they knew he would be entirely at mercy [w].

"I am ſo much amazed at this meſſage," ſaid the king in his prompt reply, "that I know not what to anſwer. You ſpeak of jealouſies and "fears! Lay your hands on your hearts, and aſk yourſelves, whether I "may not likewiſe be diſturbed with fears and jealouſies: And if ſo, I aſ"ſure you that this meſſage has nothing leſſened them.

"As to the militia, I thought ſo much of it before I gave that anſwer, "and am ſo much aſſured that the anſwer is agreeable to what in juſtice "or reaſon you can aſk, or I in honour grant, that I ſhall not alter it in "any point.

"FOR my reſidence near you, I wiſh it might be ſafe and honourable, "and that I had no cauſe to abſent myſelf from Whitehall: Aſk your"ſelves whether I have not [x].

"WHAT would you have? Have I violated your laws? Have I denied "to paſs any bill for the eaſe and ſecurity of my ſubjects? I do not aſk "what you have done for me.

"HAVE any of my people been tranſported with fears and apprehen"ſions? I offer as free and general a pardon as yourſelves can deviſe. All this conſidered, there is a judgement of heaven upon this nation, if theſe diſtractions continue.

"GOD ſo deal with me and mine as all my thoughts and intentions are

[u] Ruſh. vol. i. p. 516, 517. Idem. vol. v. p. 524.

[w] Ibid. part iii. vol. i. chap. iv. p. 523.

"upright for the maintenance of the true proteſtant profeſſion, and for "the obſervance and preſervation of the laws; and I hope God will bleſs "and aſſiſt thoſe laws for *my* preſervation [y]."

No ſooner did the commons deſpair of obtaining the king's conſent to their bill, than they inſtantly voted, that thoſe who adviſed his majeſty's anſwer were enemies to the ſtate, and miſchievous projectors againſt the ſafety of the nation; that this denial is of ſuch dangerous conſequence, that if his majeſty perſiſt in it, it will hazard the peace and tranquillity of all his kingdoms, unleſs ſome ſpeedy remedy be applied by the wiſdom and authority of both houſes; and that ſuch of the ſubjects as have put themſelves in a poſture of defence againſt the common danger, have done nothing but what is juſtifiable, and approved by the houſe [z].

LEST the people might be averſe to the ſeconding of all theſe uſurpations, they were plied anew with rumours of danger, with the terrors of invaſion, with the dread of Engliſh and Iriſh papiſts; and the moſt unaccountable panics were ſpread throughout the nation. Lord Digby having entered Kingſton in a coach and ſix, attended by a few livery ſervants, the intelligence was conveyed to London; and it was immediately voted, that he had appeared in a hoſtile manner, to the terror and affright of his majeſty's ſubjects, and had levied war againſt the king and kingdom [a]. Petitions from all quarters loudly demanded of the parliament to put the nation in a poſture of defence: and the county of Stafford, in particular, expreſſed ſuch dread of an inſurrection among the papiſts, that every man, they ſaid, was conſtrained to ſtand upon his guard, not even daring to go to church unarmed [b].

THAT the ſame violence by which he had ſo long been oppreſſed, might not ſtill reach him, and extort his conſent to the militia bill, Charles had reſolved to remove farther from London: And accordingly taking the prince of Wales and the duke of York along with him, he arrived, by ſlow journies at York, which he determined for ſome time to make the place of his reſidence. The diſtant parts of the kingdom, being removed from that furious vortex of new principles and opinions which had tranſported the capital, ſtill retained a ſincere regard for the church and monarchy; and the king here found marks of attachment beyond what he had before expected [c]. From all quarters of England, the prime nobility and gentry either perſonally, or by meſſages and letters, expreſſed their duty towards him; and exhorted him to ſave himſelf and them from that ignominious ſlavery with

1642. King arrives at York.

[y] Ruſhworth, vol. v. p. 532. [z] Ibid. part. iii. vol. i. chap. iv. p. 524.
[a] Clarendon. Ruſh. part. iii. vol. i. chap. ii. p. 495. [b] Dugdale, p. 89.
[c] Warwic p. 203.

which they were threatened. The ſmall interval of time which had paſſed ſince the fatal accuſation of the members, had been ſufficient to open the eyes of many, and to recover them from the aſtoniſhment with which, at firſt they had been ſeized. One raſh and paſſionate attempt of the king's ſeemed but a ſmall counterbalance to ſo many acts of deliberate violence which had been offered to him and every branch of the legiſlature: And, however ſweet the ſound of liberty, many reſolved to adhere to that moderate freedom tranſmitted them from their anceſtors, and now better ſecured by ſuch important conceſſions; rather than by engaging in a giddy ſearch after more independence, run a manifeſt riſk, either of incurring a cruel ſubjection, or abandoning all law and order.

CHARLES, finding himſelf ſupported by a conſiderable party in the kingdom, began to ſpeak in a firmer tone, and to retort the accuſations of the commons with a vigour which he had not before exerted. Notwithſtanding their remonſtrances, and menaces, and inſults, he ſtill perſiſted in refuſing their bill; and they proceeded to frame an ordinance, in which by the authority of the two houſes, without the king's conſent, they named lieutenants for all the counties, and conferred on them the command of the whole military force, of all the guards, garriſons, and forts of the kingdom. He iſſued proclamations againſt this manifeſt uſurpation; and, as he profeſſed a reſolution ſtrictly to obſerve the law himſelf, ſo was he determined, he ſaid, to oblige every other perſon to pay it a like obedience. The name of the king was ſo eſſential to all laws, and ſo familiar in all acts of executive authority, that the parliament was afraid, had they totally omitted it, that the innovation would be too ſenſible to the people. In all commands, therefore, which they conferred, they bound the perſons to obey the orders of his majeſty, ſignified by both houſes of parliament. And, inventing a diſtinction, hitherto unheard of, between the office and the perſon of the king; thoſe very forces which they employed againſt him, they levied in his name and by his authority [d].

IT is remarkable how much the topics of argument were now reverſed between the parties. The king, while he acknowledged his former error, of employing a plea of neceſſity, in order to infringe the laws and conſtitution, warned the parliament not to imitate an example on which they threw ſuch violent blame; and the parliament, while they clothed their perſonal fears or ambition under the appearance of national and imminent danger, made unknowingly an apology for the moſt exceptionable part of the king's conduct. That the liberties of the people were no longer expoſed to any peril from royal authority, ſo narrowly circumſcribed, ſo exactly defined, ſo much unſupported by revenue and by military power,

[d] Ruſhworth, vol. v. p. 526.

might be maintained upon very plauſible topics: But that the danger, allowing it to have any exiſtence, was not of that kind; great, urgent, inevitable; which diſſolves all law, and levels all limitations, ſeems apparent from the ſimpleſt view of theſe tranſactions. So obvious indeed was the king's preſent inability to invade the conſtitution, that the fears and jealouſies which operated on the people, and puſhed them ſo furiouſly to arms, were undoubtedly not of a civil, but of a religious nature. The diſtempered imaginations of men were agitated with a continual dread of popery, with a horror againſt prelacy, with an antipathy to ceremonies and the liturgy, and with a violent affection for whatever was moſt oppoſite to theſe objects of averſion. The fanatical ſpirit let looſe, confounded all regard to eaſe, ſafety, intereſt; and diſſolved every moral and civil obligation [e].

EACH party was now willing to throw on its antagoniſt the odium of commencing a civil war; but both of them prepared for an event which they deemed inevitable. To gain the people's favour and good opinion, was the chief point on both ſides. Never was there a people leſs corrupted by vice, and more actuated by principle than the Engliſh during that period: Never were there individuals who poſſeſſed more capacity, more courage, more public ſpirit, more diſintereſted zeal. The infuſion of one ingredient, in too large a proportion, had corrupted all theſe noble principles, and converted them into the moſt virulent poiſon. To determine his choice in the approaching conteſts, every man hearkened with avidity to the reaſons propoſed on both ſides. The war of the pen preceded that of the ſword, and daily ſharpened the humours of the oppoſite parties. Beſides private adventurers without number, the king, and parliament themſelves carried on the controverſy, by meſſages, remonſtrances, and declarations; where the nation was really the party to whom all arguments were addreſſed. Charles had here a double advantage. Not only his cauſe was more favourable, as ſupporting the ancient government in church and ſtate againſt the moſt illegal pretenſions: It was alſo defended with more art and eloquence. Lord Falkland had accepted the office of ſecretary; a man who adorned the pureſt virtue with the richeſt gifts of nature, and the moſt valuable acquiſitions of learning. By him, aſſiſted by the king himſelf, were the memorials of the royal party chiefly compoſed. So ſenſible was Charles of his ſuperiority in this particular, that he took care to diſperſe every-where the papers of the parliament together with his own, that the people might be the more enabled by compariſon, to form a judgment between them: The parliament, while they diſtributed copies of their own, were anxious to ſuppreſs all the king's compoſitions [f].

[e] See note [DD at the end of the volume.

[f] Ruſhworth, vol. v, p. 751.

To clear up the principles of the conſtitution, to mark the boundaries of the powers entruſted by law to the ſeveral members, to ſhow what great improvements the whole political ſyſtem had received from the king's late conceſſions, to demonſtrate his entire confidence in his people, and his reliance on their affections, to point out the ungrateful returns which had been made him, and the enormous encroachments, inſults, and indignities, to which he had been expoſed; theſe were the topics which, with ſo much juſtneſs of reaſoning and propriety of expreſſion, were inſiſted on in the king's declarations and remonſtrances [g].

THOUGH theſe writings were of conſequence, and tended much to reconcile the nation to Charles, it was evident that they would not be deciſive, and that keener weapons muſt determine the controverſy. To the ordinance of the parliament concerning the militia, the king oppoſed his commiſſions of array. The counties obeyed the one or the other, according as they ſtood affected. And in many counties, where the people were divided, mobbiſh combats and ſkirmiſhes enſued [h]. The parliament, on this occaſion, went ſo far as to vote, "That when the lords and "commons in parliament, which is the ſupreme court of judicature, ſhall "declare what the law of the land is, to have this not only queſtioned, "but contradicted, is a high breach of their privileges [i]." This was a plain aſſuming of the whole legiſlative authority, and exerting it in the moſt material article, the government of the militia. Upon the ſame principles, they pretended, by a verbal criticiſm on the tenſe of a Latin verb, to raviſh from the king his negative voice in the legiſlature [k].

THE magazine of Hull contained the arms of all the forces levied againſt the Scots; and Sir John Hotham, the governor, though he had accepted of a commiſſion from the parliament, was not thought to be much diſaffected to the church and monarchy. Charles therefore entertained hopes, that, if he preſented himſelf at Hull before the commencement of hoſtilities, Hotham, overawed by his preſence, would admit him with his retinue; after which he might eaſily render himſelf maſter of the place. But the governor was on his guard. He ſhut the gates, and refuſed to receive the king, who deſired leave to enter with twenty perſons only. Charles immediately proclaimed him traitor, and complained to the parliament of his diſobedience. The parliament avowed and juſtified the action [l].

[g] See note [EE] at the end of the volume. [h] May, book ii. p. 99. [i] Ruſhworth, vol. v. p. 534.

[k] The king, by his coronation oath, promiſes that he would maintain the laws and cuſtoms which the people had choſen, *quas vulgus elegerit*: The parliament pretended that *elegerit* meant *ſhall chuſe*; and conſequently, that the king had no right to refuſe any bills that ſhould be preſented him. See Ruſhworth, vol. v. p. 580.

[l] Whitlocke, p. 55. Ruſhworth, vol. v. p. 565, &c. May, book ii. p. 51.

THE county of York levied a guard for the king of 600 men: For the kings of England had hitherto lived among their ſubjects like fathers among their children, and had derived all their ſecurity from the dignity of their character, and from the protection of the laws. The two houſes, though they had already levied a guard for themſelves; had attempted to ſeize all the military power, all the navy, and all the forts of the kingdom; and had openly employed their authority in every kind of warlike preparations: Yet immediately voted, "That the king, ſeduced by wicked counſel, intended to make "war againſt his parliament, who, in all their conſultations and actions, "had propoſed no other end, but the care of his kingdoms, and the perfor- "mance of all duty and loyalty to his perſon: that this attempt was a "breach of the truth repoſed in him by his people, contrary to his oath, "and tending to a diſſolution of the government: and that whoever "ſhould aſſiſt him in ſuch a war, were traitors by the fundamental laws "of the kingdom [m]. 1641. Preparations.

THE armies, which had been every-where raiſed on pretence of the ſervice in Ireland, were henceforth more openly inliſted by the parliament for their own purpoſes and the command of them was given to the earl of Eſſex. In London no leſs than four thouſand men inliſted in one day [n]. And the parliament voted a declaration, which they required every member to ſubſcribe, that they would live and die with their general.

THEY iſſued orders for bringing in loans of money and plate, in order to maintain forces which ſhould defend the king and both houſes of parliament: For this ſtile they ſtill preſerved. Within ten days, vaſt quantities of plate were brought to their treaſurers. Hardly were there men enow to receive it, or room ſufficient to ſtow it: And many, with regret, were obliged to carry back their offerings, and wait till the treaſurers could find leiſure to receive them. Such zeal animated the pious partizans of the parliament, eſpecially in the city! The women gave up all the plate and ornaments of their houſes, and even their ſilver thimbles and bodkins, in order to ſupport the *good cauſe* againſt the malignants [o]. 16th June

MEANWHILE the ſplendor of the nobility, with which the king was environed, much eclipſed the appearance at Weſtminſter. Lord-keeper Littleton, after ſending the great ſeal before him, had fled to York. Above forty peers of the firſt rank attended the king [p]; whilſt the houſe of lords ſeldom conſiſted of more than ſixteen members. Near the moiety too of

[m] Whitlocke, p. 57. Ruſhworth, vol. v. p. 717. Dugdale, p. 93. May, book ii. p. 54.
[n] Vicar's God in the Mount. [o] Whitlocke, p. 58. Dugdale, p. 96. 99.
[p] May, book ii. p. 59.

the lower houſe abſented themſelves from counſels, which they deemed ſo full of danger. The commons ſent up an impeachment againſt nine peers, for deſerting their duty in parliament. Their own members alſo, who ſhould return to them, they voted not to admit, till ſatisfied concerning the reaſon of their abſence.

CHARLES made a declaration to the peers, who attended him, that he expected from them no obedience to any commands which were not warranted by the laws of the land. The peers anſwered this declaration by a proteſt, in which they declared their reſolution to obey no commands but ſuch as were warranted by that authority [q]. By theſe deliberate engagements, ſo worthy of an Engliſh prince and Engliſh nobility, they meant to confound the furious and tumultuary reſolutions taken by the parliament.

THE queen, diſpoſing of the crown-jewels in Holland, had been enabled to purchaſe a cargo of arms and ammunition. Part of theſe, after eſcaping many perils, arrived ſafely to the king. His preparations were not near ſo forward as thoſe of the parliament. In order to remove all jealouſy, he had reſolved, that their uſurpations and illegal pretenſions ſhould be apparent to the whole world, and thought, that, to recover the confidence of the people, was a point much more material to his intereſt, than the collecting of any magazines, ſtores or armies, which might breed apprehenſions of violent or illegal counſels. But the urgent neceſſity of his ſituation no longer admitted of delay. He now prepared himſelf for defence. With a ſpirit, activity, and addreſs, which neither the one party apprehended, nor the other expected, he employed all the advantages which remained to him, and rouſed up his adherents to arms. The reſources of this prince's genius encreaſed in proportion to his difficulties; and he never appeared greater than when plunged into the deepeſt perils and diſtreſſes. From the mixed character, indeed, of Charles, aroſe in part the misfortunes, in which England was at this time involved. His political errors, or rather weakneſſes, had raiſed him inveterate enemies: His eminent moral virtues had procured him zealous partizans: And between the hatred of the one, and the affections of the other, was the nation agitated with the moſt violent convulſions.

THAT the king might deſpair of all compoſition, the parliament ſent him the conditions, on which they were willing to come to an agreement. Their demands, contained in nineteen propoſitions, amounted to a total abolition of monarchical authority. They required, that no man ſhould remain in the council, who was not agreeable to parliament: that no deed of the king's ſhould have validity, unleſs it paſſed the council, and

[q] Ruſhworth, vol. v. p. 626, 627. May, book, ii. p 86. Warwick, p. 210.

was atteſted under their hand; that all the officers of ſtate and principal judges ſhould be choſen with conſent of parliament, and enjoy their offices for life, that none of the royal family ſhould marry without conſent of parliament or council; that the laws ſhould be executed againſt catholics; that the votes of popiſh lords ſhould be excluded; that the reformation of the liturgy and church-government ſhould have place, according to advice of parliament; that the ordinance, with regard to the militia, be ſubmitted to; that the juſtice of parliament paſs upon all delinquents; that a general pardon be granted, with ſuch exceptions as ſhould be adviſed by parliament; that the forts and caſtles be diſpoſed of by conſent of parliament; and that no peer be made but with conſent of both houſes [r].

"SHOULD I grant theſe demands," ſaid the king in reply, "I may "be waited on bareheaded; I may have my hand kiſſed; the title of "Majeſty may be continued to me; and *The king's authority, ſignified by "both houſes*, may ſtill be the ſtile of your commands; I may have ſwords "and maces carried before me, and pleaſe myſelf with the ſight of a crown "and ſceptre (though even theſe twigs would not long flouriſh, when "the ſtock upon which they grew was dead): But as to true and real "power, I ſhould remain but the outſide, but the picture, but the ſign of "a king [s]." War on any terms was eſteemed, by the king and all his counſellors, preferable to ſo ignominious a peace. Charles accordingly reſolved to ſupport his authority by arms. "His towns," he ſaid, were "taken from him, his ſhips, his arms, his money; but there ſtill remained "to him a good cauſe, and the hearts of his loyal ſubjects, which, with "God's bleſſing, he doubted not, would recover all the reſt." Collecting therefore ſome forces, he advanced ſouthwards; and at Notting- 1642.
ham he erected his royal ſtandard, the open ſignal of diſcord 25th. Aug.
and civil war throughout the kingdom.

[r] Ruſhworth, vol. v. p. 722. May, book ii. p. 44. [s] Ruſhworth, vol. v. p. 728. Warwic p. 189.

CHAP. LVI.

Commencement of the civil war——State of parties——Battle of Edgehill——Negociation at Oxford——Victories of the royaliſts in the weſt——Battle of Stratton——Of Lanſdown——Of Roundway down——Death of Hambden——Briſtol taken——Siege of Glouceſter——Battle of Newbury——Actions in the north of England——Solemn league and covenant——Arming of the Scots——State of Ireland.

1642. Commencement of the civil war.

WHEN two names, ſo ſacred in the Engliſh conſtitution as thoſe of KING and PARLIAMENT, were placed in oppoſition; no wonder the people were divided in their choice, and were agitated with the moſt violent animoſities and factions.

State of parties.

THE nobility, and more conſiderable gentry, dreading a total confuſion of rank from the fury of the populace, inliſted themſelves in defence of the monarch, from whom they received, and to whom they communicated their luſtre. Animated with the ſpirit of loyalty, derived from their anceſtors, they adhered to the ancient principles of the conſtitution, and valued themſelves on exerting the maxims, as well as inheriting the poſſeſſions, of the old Engliſh families. And while they paſſed their time moſtly at their country-ſeats, they were ſurpriſed to hear of opinions prevailing, with which they had ever been unacquainted, and which implied, not a limitation, but an abolition almoſt total, of monarchical authority.

THE city of London, on the other hand, and moſt of the great corporations, took part with the parliament, and adopted with zeal thoſe democratical principles, on which the pretenſions of that aſſembly were founded. The government of cities, which even under abſolute monarchies, is commonly republican, inclined them to this party: The ſmall hereditary influence, which can be retained over the induſtrious inhabitants of towns; the natural independence of citizens; and the force of popular currents over thoſe more numerous aſſociations of mankind; all theſe cauſes gave, there, authority to the new principles propagated throughout the nation. Many families too, which had already been enriched by commerce, ſaw with indignation, that, notwithſtanding their opulence, they could not raiſe themſelves to a level with the ancient gentry: They there-

fore adhered to a power, by whoſe ſucceſs they hoped to acquire rank and conſideration [t]. And the new ſplendor and glory of the Dutch commonwealth, where liberty ſo happily ſupported induſtry, made the commercial part of the nation deſire to ſee a like form of government eſtabliſhed in England.

THE genius of the two religions, ſo cloſely at this time interwoven with politics, correſponded exactly to theſe diviſions. The preſbyterian religion was new, republican, and ſuited to the genius of the populace: The other had an air of greater ſhow and ornament, was eſtabliſhed on ancient authority, and bore an affinity to the kingly and ariſtocratical parts of the conſtitution. The devotees of preſbytery became of courſe zealous partizans of the parliament: The friends of the epiſcopal church valued themſelves on defending the rights of monarchy.

SOME men alſo there were of liberal education, who, being either careleſs or ignorant of thoſe diſputes, bandied about by the clergy of both ſides, aſpired to nothing but an eaſy enjoyment of life, amidſt the jovial entertainment and ſocial intercourſe of their companions. All theſe flocked to the king's ſtandard, where they breathed a freer air, and were exempted from that rigid preciſeneſs and melancholy auſterity, which reigned among the parliamentary party.

NEVER was a quarrel more unequal than ſeemed at firſt that between the contending parties: Almoſt every advantage lay againſt the royal cauſe. The king's revenue had been ſeized, from the beginning, by the parliament, who iſſued out to him, from time to time, ſmall ſums for his preſent ſubſiſtence; and as ſoon as he withdrew to York, they totally ſtopped all payments. London and all the ſea-ports, except Newcaſtle, being in their hands, the cuſtoms yielded them a certain and conſiderable ſupply of money; and all contributions, loans, and impoſitions, were more eaſily raiſed from the cities, which poſſeſſed the ready money, and where men lived under their inſpection, than they could be levied by the king in thoſe open countries, which, after ſome time, declared for him.

THE ſeamen naturally followed the diſpoſition of the ſea-ports, to which they belonged: And the earl of Northumberland, lord admiral, having embraced the party of the parliament, had appointed at their deſire, the earl of Warwic to be his lieutenant; who at once eſtabliſhed his authority in the fleet, and kept the entire dominion of the ſea in the hands of that aſſembly.

ALL the magazines of arms and ammunition were from the firſt ſeized by the parliament; and their fleet intercepted the greater part of thoſe

[t] Clarendon, vol. iii. p. 4.

which were ſent by the queen from Holland. The king was obliged, in order to arm his followers, to borrow the weapons of the train-bands, under promiſe of reſtoring them as ſoon as peace ſhould be ſettled in the kingdom.

THE veneration for parliaments was at this time extreme throughout the nation [u]. The cuſtom of reviling thoſe aſſemblies for corruption, as it had no pretence, ſo was it unknown, during all former ages. Few or no inſtances of their encroaching ambition or ſelfiſh claims had hitherto been obſerved. Men conſidered the houſe of commons in no other light than as the repreſentatives of the nation, whoſe intereſt was the ſame with that of the public, who were the eternal guardians of law and liberty, and whom no motive, but the neceſſary defence of the people, could ever engage in an oppoſition to the crown. The torrent, therefore, of general affection ran to the parliament. What is the great advantage of popularity, the privilege of affixing epithets fell of courſe to that party. The king's adherents were the *Wicked* and the *Malignant*: Their adverſaries were the *Godly* and the *Well-affected*. And as the force of the cities was more united than that of the country, and at once gave ſhelter and protection to the parliamentary party, who could eaſily ſuppreſs the royaliſts in their neighbourhood, almoſt the whole kingdom, at the commencement of the war, ſeemed to be in the hands of the parliament [w].

WHAT alone gave the king ſome compenſation for all the advantages poſſeſſed by his adverſaries, was the nature and qualities of his adherents. More bravery and activity were hoped for, from the generous ſpirit of the nobles and gentry, than from the baſe diſpoſition of the multitude. And as the men of eſtates, at their own expence, levied and armed their tenants, beſides an attachment to their maſters, greater force and courage were to be expected in theſe ruſtic troops, than in the vicious and enervated populace of cities.

THE neighbouring ſtates of Europe, being engaged in violent wars, little intereſted themſelves in theſe civil commotions; and this iſland enjoyed the ſingular advantage (for ſuch it ſurely was) of fighting out its own quarrels without the interpoſition of foreigners. France, from policy, had fomented the firſt diſorders in Scotland; had ſent over arms to the Iriſh rebels; and continued to give countenance to the Engliſh parliament: Spain, from bigotry, furniſhed the Iriſh with ſome ſupplies of money and arms. The prince of Orange, cloſely allied to the crown, encouraged Engliſh officers, who ſerved in the Low Countries, to enliſt in the king's army: The Scottiſh officers, who had been formed in Germany, and in the late commotions, chiefly took part with the parliament.

[u] Walker, p. 336. [w] Warwick, p. 318.

THE contempt entertained by the parliament for the king's party was ſo great, that it was the chief cauſe of puſhing matters to ſuch extremities againſt him; and many believed that he never would attempt reſiſtance, but muſt ſoon yield to the pretenſions, however enormous, of the two houſes. Even after his ſtandard was erected, men could not be brought to apprehend the danger of a civil war; nor was it imagined that he would have the imprudence to enrage his implacable enemies, and render his own condition more deſperate, by oppoſing a force which was ſo much ſuperior. The low condition in which he appeared at Nottingham confirmed all theſe hopes. His artillery, though far from numerous, had been left at York, for want of horſes to tranſport it. Beſides the trained bands of the county, raiſed by Sir John Digby, the ſheriff, he had not gotten together above three hundred infantry. His cavalry, in which conſiſted his chief ſtrength, exceeded not eight hundred, and were very ill provided with arms. The forces of the parliament lay at Northampton, within a few days march of him; and conſiſted of above ſix thouſand men, well armed and well appointed. Had theſe troops advanced upon him, they muſt ſoon have diſſipated the ſmall force which he had aſſembled. By purſuing him in his retreat, they had ſo diſcredited his cauſe, and diſcouraged his adherents, as to have for ever prevented his collecting an army able to make head againſt them. But the earl of Eſſex, the parliamentary general, had not yet received any orders from his maſters [x]. What rendered them ſo backward, after ſuch precipitate ſteps as they had formerly taken, is not eaſily explained. It is probable, that in the extreme diſtreſs of his party conſiſted the preſent ſafety of the king. The parliament hoped, that the royaliſts, ſenſible of their feeble condition, and convinced of their ſlender reſources, would diſperſe of themſelves, and leave their adverſaries a victory, ſo much the more complete and ſecure, as it would be gained without the appearance of force, and without bloodſhed. Perhaps too, when it became neceſſary to make the concluding ſtep, and offer barefaced violence to their ſovereign, their ſcruples and apprehenſions though not ſufficient to overcome their reſolutions, were able to retard the execution of them [y].

SIR Jacob Aſtley, whom the king had appointed major-general of his intended army, told him, that he could not give him aſſurance but he might be taken out of his bed, if the rebels ſhould make a briſk attempt to that purpoſe. All the king's attendants were full of well-grounded apprehenſions. Some of the lords having deſired that a meſſage might be ſent to the parliament, with overtures to a treaty, Charles, who well knew that an accommodation, in his preſent condition, meant nothing but a total ſubmiſſion, haſtily broke up the council, leſt this propoſal ſhould be far-

[x] Clarendon, vol. iii. p. 1, 2. [y] Idem, ibid. p. 18.

ther inſiſted on. But next day, the earl of Southampton, whom no one could ſuſpect of baſe or timid ſentiments, having offered the ſame advice in council, it was hearkened to with more coolneſs and deliberation. He urged, that though ſuch a ſtep would probably encreaſe the inſolence of the parliament, this was ſo far from being an objection, that ſuch diſpoſitions muſt neceſſarily turn to the advantage of the royal cauſe: That if they refuſed to treat, which was more probable, the very ſound of peace was ſo popular, that nothing could more diſguſt the nation than ſuch haughty ſeverity: That if they admitted of a treaty, their propoſals, conſidering their preſent ſituation, would be ſo exorbitant, as to open the eyes of their moſt partial adherents, and turn the general favour to the king's party: And that, at worſt, time might be gained by this expedient, and a delay of the imminent danger with which the king was at preſent threatened [z].

CHARLES, on aſſembling the council, had declared againſt all advances towards an accommodation; and had ſaid, that, having now nothing left him but his honour, this laſt poſſeſſion he was reſolved ſteadily to preſerve, and rather to periſh than yield any farther to the pretenſions of his enemies [a]. But, by the unanimous deſire of the counſellors, he was prevailed on to embrace Southampton's advice. That nobleman, therefore, with Sir John Colepeper and Sir William Uvedale, was diſpatched to London, with offers of a treaty [b]. The manner in which they were received gave little hopes of ſucceſs. Southampton was not allowed by the peers to take his ſeat; but was ordered to deliver his meſſage to the uſher, and immediately to depart the city: The commons ſhowed little better diſpoſition towards Colepeper and Uvedale [c]. Both houſes replied, that they could admit of no treaty with the king, till he took down his ſtandard, and recalled his proclamations, in which the parliament ſuppoſed themſelves to be declared traitors. The king, by a ſecond meſſage, denied any ſuch intention againſt the two houſes; but offered to recal theſe proclamations, provided the parliament agreed to recal theirs, in which his adherents were declared traitors. They deſired him, in return, to diſmiſs his forces, to reſide with his parliament, and to give up delinquents to their juſtice; that is, abandon himſelf and his friends to the mercy of his enemies [d]. Both parties flattered themſelves, that, by theſe meſſages and replies, they had gained the ends which they propoſed [e]. The king believed that the people were made ſufficiently ſenſible of the parliament's inſolence and averſion to peace: The parliament intended, by this vigour in their reſolutions, to ſupport the vigour of their military operations.

[z] Clarendon. vol. iii. p. 7. [a] Idem, ibid. [b] Ruſh. vol. v. p. 784.
[c] Clarendon, vol. iii. p. 10. [d] Ruſhworth, vol. v. p. 786. Dugdale, p. 102.
[e] Whitlocke, p. 59.

THE courage of the parliament was increaſed, beſides their great ſuperiority of force, by two recent events, which had happened in their favour. Goring was governor of Portſmouth, the beſt fortified town in the kingdom, and, by its ſituation, of great importance. This man ſeemed to have rendered himſelf an implacable enemy to the king, by betraying, probably magnifying, the ſecret cabals of the army; and the parliament thought that his fidelity to them might, on that account, be entirely depended on. But the ſame levity of mind ſtill attended him, and the ſame diſregard to engagements and profeſſions. He took underhand his meaſures with the court, and declared againſt the parliament. But, though he had been ſufficiently ſupplied with money, and long before knew his danger, ſo ſmall was his foreſight, that he had left the place entirely deſtitute of proviſions, and in a few days, he was obliged to ſurrender to the parliamentary forces [f].

THE marquis of Hertford was a nobleman of the greateſt quality and character in the kingdom, and, equally with the king, deſcended, by a female, from Henry VII. During the reign of James, he had attempted, without having obtained the conſent of that monarch, to marry Arabella Stuart, a lady nearly related to the crown; and, upon diſcovery of his intentions, had been obliged, for ſome time, to fly the kingdom. Ever after, he was looked on with an evil eye at court, from which, in a great meaſure, he withdrew; and living in an independant manner, he addicted himſelf entirely to literary occupations and amuſements. In proportion as the king declined in popularity, Hertford's character flouriſhed with the people; and when this parliament aſſembled, no nobleman poſſeſſed more general favour and authority. By his ſagacity, he ſoon perceived, that the commons, not content with correcting the abuſes of government, were carried by the natural current of power and popularity, into the oppoſite extreme, and were committing violations, no leſs dangerous than the former, upon the Engliſh conſtitution. Immediately he devoted himſelf to the ſupport of the king's falling authority, and was prevailed with to be governor to the young prince, and reſide at court, to which, in the eyes of all men, he gave, by his preſence, a new luſtre and authority. So high was his character for mildneſs and humanity, that he ſtill preſerved, by means of theſe popular virtues, the public favour; and every one was ſenſible of the true motive of his change. Notwithſtanding his habits of eaſe and ſtudy, he now exerted himſelf in raiſing an army for the king; and being named general of the weſtern counties, where his intereſt chiefly lay, he began to aſſemble forces in Somerſetſhire. By the aſſiſtance of lord Seymour, lord Paulet, John Digby, ſon of the earl of Briſtol, Sir Francis Hawley, and others, he had drawn together ſome appearance of

[f] Ruſhworth, vol. v. p. 683. Whitlocke, p. 60. Clarendon, vol. iii. p. 19.

an army; when the parliament, apprehenſive of the danger, ſent the earl of Bedford with a conſiderable force againſt him. On his approach, Hertford was obliged to retire into Sherborne caſtle; and, finding that place untenable, he himſelf paſſed over into Wales, leaving Sir Ralph Hopton, Sir John Berkeley, Digby, and other officers, with their horſe, conſiſting of about a hundred and twenty, to march into Cornwal, in hopes of finding that county better prepared for their reception[g].

ALL the diſperſed bodies of the parliamentary army were now ordered to march to Northampton; and the earl of Eſſex, who had joined them, found the whole amount to 15,000 men[h]. The king, though his camp had been gradually reinforced from all quarters, was ſenſible that he had no army which could cope with ſo formidable a force; and he thought it prudent, by ſlow marches, to retire to Derby, thence to Shrewſbury, in order to countenance the levies which his friends were making in thoſe parts. At Wellington, a day's march from Shrewſbury, he made a rendezvous of all his forces, and cauſed his military orders to be read at the head of every regiment. That he might bind himſelf by reciprocal ties, he ſolemnly made the following declaration before his whole army:

"I DO promiſe, in the preſence of Almighty God, and as I hope "for his bleſſing and protection, that I will to the utmoſt of my power, "defend and maintain the true reformed proteſtant religion, eſtabliſhed in "the church of England, and by the grace of God, in the ſame will live "and die.

"I DESIRE that the laws may ever be the meaſure of my government, "and that the liberty and property of the ſubject may be preſerved by them "with the ſame care as my own juſt rights. And if it pleaſe God, by his "bleſſing on this army, raiſed for my neceſſary defence, to preſerve me from "the preſent rebellion, I do ſolemnly and faithfully promiſe, in the ſight of "God, to maintain the juſt privileges and freedom of parliament, and to "govern, to the utmoſt of my power, by the known ſtatutes and cuſtoms "of the kingdom, and particularly to obſerve inviolably the laws to which "I have given my conſent this parliament. Meanwhile, if this emergence "and the great neceſſity to which I am driven, beget any violation of law, "I hope it ſhall be imputed by God and man to the authors of this war; "not to me who have ſo earneſtly laboured to preſerve the peace of the "kingdom.

"WHEN I willingly fail in theſe particulars, I ſhall expect no aid or re- "lief from man, nor any protection from above: But in this reſolution "I hope for the chearful aſſiſtance of all good men, and am confident of "the bleſſing of heaven[i].

[g] Clarendon, vol. vi. p. 2, 3, &c. p. 16, 17. Dugdale, p. 104.

[h] Whitlocke, p. 60.

[i] Clarendon, vol.

THOUGH the concurrence of the church undoubtedly encreaſed the king's adherents, it may ſafely be affirmed, that the high monarchical doctrines, ſo much inculcated by the clergy, had never done him any real ſervice. The bulk of that generous train of nobility and gentry who now attended the king in his diſtreſſes, breathed the ſpirit of liberty, as well as of loyalty: And in the hopes alone of his ſubmitting to a legal and limited government, were they willing, in his defence, to ſacrifice their lives and fortunes.

WHILE the king's army lay at Shrewſbury, and he was employing himſelf in collecting money, which he received tho' in no great quantities, by voluntary contributions, and by the plate of the univerſities, which was ſent him, the news arrived of an action, the firſt which had happened in theſe wars, and where he was ſucceſsful.

ON the appearance of commotions in England, the princes Rupert and Maurice, ſons of the unfortunate Palatine, had offered their ſervice to the king; and the former at that time commanded a body of horſe, which had been ſent to Worceſter, in order to watch the motions of Eſſex, who was marching towards that city. No ſooner had the prince arrived, than he ſaw ſome cavalry of the enemy approaching the gates. Without delay, he briſkly attacked them, as they were defiling from a lane, and forming themſelves. Colonel Sandys, who led them, and who fought with valour, being mortally wounded, fell from his horſe. The whole party was routed, and was purſued above a mile. The prince hearing of Eſſex's approach, returned to the main body [k]. This rencounter, though in itſelf of ſmall importance, mightily raiſed the reputation of the royaliſts, and acquired to prince Rupert the character of promptitude and courage; qualities, which he eminently diſplayed during the whole courſe of the war.

THE king, on muſtering his army, found it amount to 10,000 men. The earl of Lindeſey, who in his youth had fought experience of military ſervice in the Low Countries [l], was general: Prince Rupert commanded the horſe: Sir Jacob Aſtley, the foot: Sir Arthur Aſtor the dragoons: Sir John Heydon, the artiilery. Lord Barnard Stuart was at the head of a troop of guards. The eſtates and revenue of this ſingle troop, according to lord Clarendon's computation, were at leaſt equal to thoſe of all the members, who at the commencement of the war voted in both houſes. Their ſervants, under the command of Sir William Killegrew, made another troop, and always marched with their maſters [m];

[k] Clarendon, vol iii. p. 25. May, book, iii. p. 10. [l] He was then lord Willoughby. [m] Clarendon, vol. iii. p. 41. Warwic. p. 231.

1642. 12th Oct. WITH this army the king left Shrewſbury, reſolving to give battle as ſoon as poſſible to the army of the parliament, which he heard, was continually augmenting by ſupplies from London. In order to bring on an action, he directed his march towards the capital, which he knew the enemy would not abandon to him. Eſſex had now received his inſtructions. The import of them was, to preſent a moſt humble petition to the king, and to reſcue him and the royal family from thoſe deſperate malignants, who had ſeized their perſons [n]. Two days after the departure of the royaliſts from Shrewſbury, he left Worceſter. Though it be commonly eaſy in civil wars to get intelligence, the armies were within ſix miles of each other, ere either of the generals was acquainted with the approach of his enemy. Shrewſbury and Worceſter, the places from which they ſet out, are not above twenty miles diſtant; yet had the two armies marched ten days in mutual ignorance. So much had military ſkill, during a long peace decayed in England [o].

Battle of Edge-hill. 23d of Oct. THE royal army lay near Banbury: That of the parliament at Keinton, in the county of Warwic. Prince Rupert ſent intelligence of the enemy's approach. Tho' the day was far advanced, the king reſolved upon the attack: Eſſex drew up his men to receive him. Sir Faithful Forteſcue, who had levied a troop for the Iriſh wars, had been obliged to ſerve in the parliamentary army, and was now poſted on the left wing, commanded by Ramſay, a Scotchman. No ſooner did the king's army approach, than Forteſcue, ordering his troop to diſcharge their piſtols in the ground, put himſelf under the command of prince Rupert. Partly from this incident, partly from the furious ſhock made upon them by the prince; that whole wing of cavalry immediately fled, and were purſued for two miles. The right wing of the parliament's army had no better ſucceſs. Chaſed from their ground by Wilmot and Sir Arthur Aſton, they alſo took to flight. The king's body of reſerve, commanded by Sir John Biron, judging, like raw ſoldiers, that all was over, and impatient to have ſome ſhare in the action, heedleſsly followed the chace, which their left wing had precipitately led them. Sir William Balfour, who commanded Eſſex's reſerve, perceived the advantage: He wheeled about upon the king's infantry, now quite unfurniſhed of horſe; and he made great havoc among them. Lindeſey, the general, was mortally wounded, and taken priſoner. His ſon, endeavouring his reſcue, fell likewiſe into the enemy's hands. Sir Edmund Verney, who carried the king's ſtandard, was killed, and the ſtandard taken; but it was afterwards recovered. In this ſituation, prince Rupert, on his return, found affairs. Every thing bore the appearance of a defeat, inſtead, of a victory, with

[n] Whitlocke, p. 59. Clarendon, vol. iii. p. 27, 28, &c.

[o] Clarendon, vol iii. p. 44.

which he had haſtily flattered himſelf. Some adviſed the king to leave the field: But that prince rejected ſuch puſillanimous counſel. The two armies faced each other for ſome time, and neither of them retained courage ſufficient for a new attack. All night they lay under arms; and next morning found themſelves in ſight of each other. General, as well as ſoldier, on both ſides ſeemed averſe to renew the battle. Eſſex firſt drew off, and retired to Warwic. The king returned to his former quarters. Five thouſand men are ſaid to have been found dead on the field of battle; and the loſs of the two armies, as far as we can judge by the oppoſite accounts, was nearly equal. Such was the event of this firſt battle, fought at Keinton, or Edge hill [p].

SOME of Eſſex's horſe who had been driven off the field in the beginning of the action, flying to a great diſtance, carried news of a total defeat, and ſtruck a mighty terror into the city and parliament. After a few days, a more juſt account arrived; and then the parliament pretended to a complete victory [q]. The king alſo, on his part, was not wanting to diſplay his advantages; though, except the taking of Banbury, a few days after, he had few marks of victory to boaſt of. He continued his march, and took poſſeſſion of Oxford, the only town in his dominions which was altogether at his devotion.

AFTER the royal army was recruited and refreſhed; as the weather ſtill continued favourable, it was again put in motion. A party of horſe approached to Reading, of which Martin was appointed governor by the parliament. Both governor and garriſon were ſeized with a panic, and fled with precipitation to London. The king, hoping that every thing would yield before him, advanced with his whole army to Reading. The parliament, who, inſtead of their fond expectations, that Charles would never be able to collect an army, had now the proſpect of a civil war, bloody, and of uncertain event; were farther alarmed at the near approach of the royal army, while their own forces lay at a diſtance. They voted an addreſs for a treaty. The king's nearer approach to Colebroke quickened their advances for peace. Northumberland and Pembroke, with three commoners, preſented the addreſs of both houſes; in which they beſought his majeſty to appoint ſome convenient place where he might reſide, till committees could attend him with propoſals. The king named Windſor, and deſired that their garriſon might be removed, and his own troops admitted into that caſtle [r].

MEANWHILE Eſſex, advancing by haſty marches, had arrived at London. But neither the preſence of his army, nor the precarious hopes of a treaty, retarded the king's ap- 1642. 30th Nov.

[p] Clarendon. vol. iii. p. 44, &c. May, book iii. p. 16, &c. [q] Whitlocke, p. 61. Clarendon, vol. iii. p. 59. [r] Whitlocke, p 62. Clarendon, vol. iii. p. 73.

proaches. Charles attacked at Brentford, two regiments quartered there, and, after a ſharp action, beat them from that village, and took about 500 priſoners. The parliament had ſent orders to forbear all hoſtilities, and had expected the ſame from the king; though no ſtipulations to that purpoſe had been mentioned by their commiſſioners. Loud complaints were raiſed againſt this attack, as if it had been the moſt apparent perfidy and breach of treaty [r]. Inflamed with reſentment, as well as anxious for its own ſafety, the city marched its trained bands in excellent order, and joined the army under Eſſex. The parliamentary army now amounted to above 24,000 men, and was much ſuperior to that of the king [t]. After both armies had faced each other for ſome time, Charles drew off and retired to Reading, thence to Oxford.

WHILE the principal armies on both ſides were kept in inaction by the winter ſeaſon, the king and parliament were employed in real preparations for war, and in ſeeming advances towards peace. By means of contributions or aſſeſſments, levied by the horſe, Charles maintained his cavalry: By loans and voluntary preſents, ſent him from all parts of the kingdom, he ſupported his infantry: But the ſupplies were ſtill very unequal to the neceſſities under which he laboured [u]. The parliament had much greater reſources for money; and had, by conſequence, every military preparation in much greater order and abundance. Beſides an impoſition levied in London, amounting to the five and twentieth part of every one's ſubſtance, they eſtabliſhed on that city a weekly aſſeſſment of 10,000 pounds, and another of 23,518, on the reſt of the kingdom [w]. And as their authority was at preſent eſtabliſhed in moſt counties, they levied theſe taxes with regularity; though they amounted to ſums much greater than the nation had formerly paid to the Public.

1643. The king and parliament ſent reciprocally their demands; and a treaty commenced, but without any ceſſation of hoſtilities, as had at firſt been propoſed. The earl of Northumberland, and four members of the lower houſe, came to Oxford as commiſſioners [x]. In this treaty the king perpetually inſiſted on the re-eſtabliſhment of the crown in its legal powers, and on the reſtoration of his conſtitutional prerogative [y]. The parliament ſtill required new conceſſions, and a farther abridgement of regal authority, as a more effectual remedy to their fears and jealouſies. Finding the king ſupported by more forces, and a greater party than they had ever looked for, they ſeemingly abated ſomewhat of thoſe extravagant conditions, which they had formerly claimed; but their demands were ſtill too high

Negociation at Oxford.

[r] Whitlocke, p. 62. Clarendon, vol. iii. p. 75. [t] Whitlocke, p. 62. [u] Clarendon, vol. iii. p. 87. [w] Ibid. vol. iii. p. 171. [x] Whitlocke, p. 64. [y] Ruſh. vol. vi. p. 202.

for an equal treaty. Beſides other articles, to which a complete victory alone could entitle them, they required the king, in expreſs terms, utterly to aboliſh epiſcopacy; a demand, which, before, they had only inſinuated: And they required, that all other eccleſiaſtical controverſies ſhould be determined by *their* aſſembly of divines; that is, in the manner the moſt repugnant to the inclinations of the king and all his partizans. They inſiſted, that he ſhould ſubmit to the puniſhment of his moſt faithful adherents. And they deſired him to acquieſce in their ſettlement of the militia, and to confer on their adherents the entire power of the ſword. In anſwer to the king's propoſal, that his magazines, towns, forts, and ſhips, ſhould be reſtored to him, the parliament required, that they ſhould be put into ſuch hands as they ſhould confide in [z]: The nineteen propoſitions, which they formerly had ſent to the king, ſhewed their *inclination* to aboliſh monarchy: They only aſked, at preſent, the *power* of doing it. And having now, in the eye of the law, been guilty of treaſon, by levying war againſt their ſovereign; it is evident, that their fears and jealouſies muſt, on that account, have multiplied extremely; and have rendered their perſonal ſafety, which they interwove with the ſafety of the nation, ſtill more incompatible with the authority of the monarch. Though the gentleneſs and lenity of the king's temper might have enſured them againſt ſchemes of future vengeance; they preferred, as is, no doubt, natural, an independent ſecurity, accompanied too with ſovereign power, to the ſtation of ſubjects, and that not entirely guarded from all apprehenſions of danger [a].

THE conferences went no farther than the firſt demand on each ſide. The parliament, finding that there was no likelihood of coming to any agreement, ſuddenly recalled their commiſſioners.

A MILITARY enterprize, which they had concerted early in the ſpring, was immediately undertaken. Reading, the garriſon of the king's, which lay neareſt to London, was eſteemed a place of conſiderable ſtrength, in that age, when the art of attacking towns was not well underſtood in Europe, and was totally unknown in England. The earl of Eſſex ſat down before this place with an army of 18,000 men; and carried on the ſiege by regular approaches. Sir Arthur Aſton, the governor, being wounded, colonel Fielding ſucceeded to the command. In a little time the town was found to be no longer in a condition of defence; and though the king approached, with an intention of obliging Eſſex to raiſe the ſiege, the diſpoſition of the parliamentary army was ſo ſtrong, as rendered the deſign impracticable. Field- 1643. 15th April.

[z] Ruſhworth, vol. vi. p. 166. Clarendon, vol. iii. p. 119. [a] See note [FF] at the end of the volume.

1643. 27th April. ing, therefore, was contented to yield the town, on condition that he ſhould bring off all the garriſon with the honours of war, and deliver up deſerters. This laſt article was thought ſo ignominious and ſo prejudicial to the king's intereſts, that the governor was tried by a council of war, and condemned to loſe his life, for conſenting to it. His ſentence was afterwards remitted by the king [b].

ESSEX's army had been fully ſupplied with all neceſſaries from London: Even many ſuperfluities and luxuries were ſent them by the care of the zealous citizens: Yet the hardſhips, which they ſuffered from the ſiege, during ſo early a ſeaſon, had weakened them to ſuch a degree, that they were no longer fit for any new enterprize. And the two armies, for ſome time, encamped in the neighbourhood of each other, without attempting, on either ſide, any action of moment.

BESIDES the military operations between the principal armies, which lay in the centre of England; each county, each town, each family almoſt, was divided within itſelf; and the moſt violent convulſions ſhook the whole kingdom. Throughout the winter continual efforts had everywhere been made by each party to ſurmount its antagoniſt; and the Engliſh, rouzed from the lethargy of peace, with eager, though unſkilful hands, employed againſt their fellow-citizens their long neglected weapons. The furious zeal for liberty and preſbyterian diſcipline, which had hitherto run uncontrouled throughout the nation, now at laſt excited an equal ardour for monarchy and epiſcopacy; when the intention of aboliſhing theſe ancient modes of government was openly avowed by the parliament. Conventions for neutrality, though, in ſeveral counties, they had been entered into, and confirmed by the moſt ſolemn oaths, yet, being voted illegal by the two houſes, were immediately broken [c]: and the fire of diſcord was ſpread into every quarter. The altercation of diſcourſe, the controverſies of the pen, but above all, the declamations of the pulpit, indiſpoſed the minds of men towards each other, and propagated the blind rage of party [d]. Fierce, however, and inflamed as were the diſpoſitions of the Engliſh, by a war both civil and religious, that great deſtroyer of humanity; all the events of this period are leſs diſtinguiſhed by atrocious deeds either of treachery or cruelty, than were ever any inteſtine diſcords, which had ſo long a continuance. A circumſtance which will be found to reflect great praiſe on the national character of that people, now ſo unhappily rouzed to arms.

IN the north, lord Fairfax commanded for the parliament, the earl of Newcaſtle for the king. The latter nobleman began thoſe aſſociations,

[b] Ruſh. vol. vi. p. 265, &c. Clarendon, vol. iii. p. 237, 238, &c. [c] Clarendon, vol. iii. p. 137. 139. [d] Dugdale p. 95.

which were afterwards ſo much practiſed in other parts of the kingdom. He united in a league for the king, the counties of Northumberland, Cumberland, Weſtmoreland, and the Biſhopric, and engaged, ſome time after, other counties in the ſame aſſociation. Finding that Fairfax, aſſiſted by Hotham and the garriſon of Hull, was making progreſs in the ſouthern parts of Yorkſhire; he advanced with a body of four thouſand men, and took poſſeſſion of York. At Tadcaſter, he attacked the forces of the parliament, and diſlodged them: But his victory was not deciſive. In other rencounters he obtained ſome inconſiderable advantages. But the chief benefit, which reſulted from his enterprizes, was, the eſtabliſhing of the king's authority in all the northern provinces.

In another part of the kingdom, lord Broke was killed by a ſhot, while he was taking poſſeſſion of Litchfield for the parliament [e]. After a ſhort combat near Stafford, between the earl of Northampton and Sir John Gell, the former, who commanded the king's forces, was killed while he fought with great valour; and his forces, diſcouraged by his death, though they had obtained the advantage in the action, retreated into the town of Stafford [f].

Sir William Waller began to diſtinguiſh himſelf among the generals of the parliament. Active and indefatigable in his operations, rapid and enterprizing; he was fitted by his genius to the nature of the war; which, being managed by raw troops, conducted by unexperienced commanders, afforded ſucceſs to every bold and ſudden undertaking. After taking Winchester and Chicheſter, he advanced towards Gloceſter, which was in a manner blockaded by lord Herbert, who had levied conſiderable forces in Wales for the royal party [g]. While he attacked the Welſh on one ſide, a ſally from Gloceſter made impreſſion on the other. Herbert was defeated, five hundred of his men were killed on the ſpot; a thouſand taken priſoners; and he himſelf eſcaped with ſome difficulty to Oxford. Hereford, eſteemed a ſtrong town, defended by a conſiderable garriſon, was ſurrendered to Waller, from the cowardice of Colonel Price, the governor. Tewkeſbury underwent the ſame fate. Worceſter refuſed him admittance; and Waller, without placing any garriſons in his new conqueſts, retired to Gloceſter, and he thence joined the army under the earl of Eſſex [h].

[e] He had taken poſſeſſion of Litchfield, and was viewing from a window St. Chad's cathedral, in which a party of the royaliſts had fortified themſelves. He was caſed in complete armour, but was ſhot through the eye by a random-ball. Lord Broke was a zealous puritan; and had formerly ſaid that he hoped to ſee with his eyes the ruin of all the cathedrals of England. It was a ſuperſtitious remark of the royaliſts, that he was killed on St. Chad's day by a ſhot from St. Chad's cathedral, which pierced that very eye by which he hoped to ſee the ruin of all cathedrals. Dugdale, p. 118. Clarendon, &c.

[f] Whitlocke, p. 66. Ruſh. vol, vi. p. 152. Clarendon. vol. iii. p. 151.

[g] Ruſh. vol. vi. p. 92. 100. [h] Ruſh. vol. vi. p. 263.

1643. Victories of the royaliſts in the weſt.

BUT the moſt memorable actions of valour, during this winter ſeaſon, were performed in the weſt. When Sir Ralph Hopton, with his ſmall troop, retired into Cornwall before the earl of Bedford, that nobleman, deſpiſing ſo inconſiderable a force, abandoned the purſuit, and committed the care of ſuppreſſing the royal party to the ſheriffs of the county. But the affections of Cornwall were much inclined to the king's ſervice. While Sir Richard Buller and Sir Alexander Carew lay at Launceſton, and employed themſelves in executing the parliament's ordinance for the militia, a meeting of the county was aſſembled at Truro; and after Hopton produced his commiſſion from the earl of Hertford, the king's general, it was agreed to execute the laws, and to expel theſe invaders of the county. The train-bands were accordingly levied, Launceſton taken, and all Cornwall reduced to peace and to obedience under the king.

IT had been uſual for the royal party, on the commencement of theſe diſorders, to claim, on all occaſions, the ſtrict execution of the laws, which, they knew, were favourable to them; and the parliament, rather than have recourſe to the plea of neceſſity, and vow the tranſgreſſion of any ſtatute, had alſo been accuſtomed to warp the laws, and, by forced conſtructions, to interpret them in their own favour [i]. But though the king was naturally the gainer by ſuch a method of conducting war, and it was by favour of law that the train-bands were raiſed in Cornwall; it appeared that thoſe maxims were now prejudicial to the royal party. Theſe troops could not legally, without their own conſent, be carried out of the county; and conſequently, it was impoſſible to puſh into Devonſhire, the advantage, which they had obtained. The Corniſh royaliſts, therefore, bethought themſelves of levying a force, which might be more ſerviceable. Sir Bevil Granville, the moſt beloved man of that country, Sir Ralph Hopton, Sir Nicholas Slanning, Arundel, and Trevannion, undertook, at their own charges, to raiſe an army for the king: and their great intereſt in Cornwall ſoon enabled them to effect their purpoſe. The parliament, alarmed at this appearance of the royaliſts, gave a commiſſion to Ruthven, a Scotchman, governor of Plymouth, to march with all the forces of Dorſet, Somerſet, and Devon, and make an entire conqueſt of Cornwall. The earl of Stamford followed him at ſome diſtance, with a conſiderable ſupply. Ruthven, having entered Cornwall by bridges thrown over the Tamar, haſtened to an action; leſt Stamford ſhould join him, and obtain the honour of that victory, which he looked for with aſſurance. The royaliſts in like manner, were impatient to bring the affair to a deciſion before Ruthven's army ſhould receive ſo conſiderable a reinforcement. The battle was fought on Bradoc down; and the king's forces though

[h] Ruſh. vol. vi. p. 263. [i] Clarendon, vol. iii. p. 130.

inferior in number, gave a total defeat to their enemies. Ruthven with a few broken troops fled to Saltash; and when that town was taken, he escaped, with some difficulty, and almost alone into Plymouth. Stamford retired, and distributed his forces into Plymouth and Exeter.

NOTWITHSTANDING these advantages, the extreme want both of money and ammunition, under which the Cornish royalists laboured, obliged them to enter into a convention of neutrality with the parliamentary party in Devonshire; and this neutrality held all the winter-season. In the spring, it was broken by the authority of the two houses; and war recommenced with great appearance of disadvantage to the king's party. Stamford, having assembled a strong body of near seven thousand men, well supplied with money, provisions, and ammunition, advanced upon the royalists, who were not half his number, and were oppressed by every kind of necessity. Despair, joined to the natural gallantry of these troops, commanded by the prime gentry of the county, made them resolve, by one vigorous effort, to overcome all these advantages. Stamford being encamped on the top of a high hill near Stratton, they attacked him in four divisions, at five in the morning, having lain all night under arms. One division was commanded by lord Mohun and Sir Ralph Hopton, another by Sir Beville Granville and Sir John Berkeley, a third by Slanning and Trevannion, a fourth by Basset and Godolphin. In this manner the action began; the king's forces pressing with vigour those four ways up the hill, and their enemies obstinately defending themselves. The fight continued with doubtful success, till word was brought to the chief officers of the Cornish, that their ammunition was spent to less than four barrels of powder. This defect, which they concealed from the soldiers, they resolved to supply by their valour. They agreed to advance without firing till they should reach the top of the hill, and could be on equal ground with the enemy. The courage of the officers was so well seconded by the soldiers, that the royalists began on all sides to gain ground. Major-general Chidley, who commanded the parliamentary army (for Stamford kept at a distance) failed not in his duty; and when he saw his men recoil, he himself advanced with a good stand of pikes, and, piercing into the thickest of the enemy, was at last overpowered by numbers and taken prisoner. His army, upon this disaster, gave ground apace; insomuch that the four parties of the royalists, growing nearer and nearer as they ascended, at length met together upon the plain at the top; where they embraced with great joy, and signalized their victory with loud shouts and mutual congratulations [k].

1643. May 16th. Battle of Stratton

AFTER this success, the attention both of the king and parliament was turned towards the west, as to a very important scene of action. The

[k] Rush. vol. vi. p. 267. 273. Clarendon, vol. iii. p. 269. 279.

king ſent thither the marquis of Hertford and prince Maurice with a reinforcement of cavalry; who, having joined the Corniſh army, ſoon overran the county of Devon; and advancing into that of Somerſet, began to reduce it to obedience. On the other hand, the parliament, having ſupplied Sir William Waller, in whom they much truſted, with a complete army, diſpatched him weſtwards, in order to check the progreſs of the royaliſts. After ſome ſkirmiſhes, the two armies met at Lanſdown, near Bath, and fought a pitched battle, with great loſs, on both ſides, but without any deciſive event [l]. The gallant Granville was there killed; and Hopton, by the blowing up of ſome powder, was dangerouſly hurt. The royaliſts next attempted to march eaſtwards, and to join their forces to the king's at Oxford: But Waller hung on their rear, and infeſted their march till they reached the Devizes. Reinforced by additional troops, which flocked to him from all quarters; he ſo much ſurpaſſed the royaliſts in number, that they durſt no longer continue their march, or expoſe themſelves to the hazard of an action. It was reſolved, that Hertford and prince Maurice ſhould proceed with the cavalry; and, having procured a reinforcement from the king, ſhould haſten back to the relief of their friends. Waller was ſo confident of taking this body of infantry, now abandoned by the horſe, that he wrote to the parliament, that their work was done, and that, by the next poſt, he would inform them of the number and quality of the priſoners. But the king, even before Hertford's arrival, hearing of the great difficulties to which his weſtern army was reduced, had prepared a coſiderable body of cavalry, which he immediately diſpatched to their ſuccour under the command of lord Wilmot. Waller drew up on Roundway-down, about two miles from the Devizes; and advancing with his cavalry to fight Wilmot, and prevent his conjunction with the Corniſh infantry, was received with equal valour by the royaliſts. After a ſharp action he was totally routed, and, flying with a few horſe, eſcaped to Briſtol. Wilmot, ſeizing the enemy's cannon, and having joined his friends, whom he came to relieve, attacked Waller's infantry with redoubled courage, drove them off the field, and routed and diſperſed the whole army [m].

1643. Battle of Lanſdown. 5th July.

Battle of Roundway-down. 13th July.

THIS important victory, following ſo quick after ſo many other ſucceſſes, ſtruck great diſmay into the parliament, and gave an alarm to their principal army commanded by Eſſex. Waller exclaimed loudly againſt that general, for allowing Wilmot to paſs him, and proceed without any interruption to the ſuccour of the diſtreſſed infantry at the Devizes. But Eſſex, finding that his army fell continually to decay after the ſiege of

[l] Ruſh. vol. vi. p. 284. Clarendon, vol. iii. p. 282. Clarendon, vol. iii. p. 291.

[m] Ruſh. vol. vi. p. 285.

Reading, was reſolved to remain upon the defenſive; and the weakneſs of the king, and his want of all military ſtores, had alſo reſtrained the activity of the royal army. No action had happened in that part of England, except one ſkirmiſh, which, of itſelf, was of no great conſequence and was rendered memorable by the death alone of the famous Hambden.

COLONEL Urrey, a Scotchman, who ſerved in the parliamentary army, having received ſome diſguſt, came to Oxford, and offered his ſervices to the king. In order to prove the ſincerity of his converſion, he informed Prince Rupert of the looſe diſpoſition of the enemy's quarters, and exhorted him to form ſome attempt upon them. The prince, who was entirely fitted for that kind of ſervice, falling ſuddenly upon the diſperſed bodies of Eſſex's army, routed two regiments of cavalry and one of infantry, and carried his ravages within two miles of the general's quarters. The alarm being given, every one mounted on horſeback, in order to purſue the prince, to recover the priſoners, and to repair the diſgrace, which the army had ſuſtained. Among the reſt, Hambden, who had a regiment of infantry that lay at a diſtance, joined the horſe as a volunteer; and overtaking the royaliſts on Chalgrave field, entered into the thickeſt of the battle. By the bravery and activity of Rupert, the king's troops were brought off, and a great booty, together with two hundred priſoners was conveyed to Oxford. But what moſt pleaſed the royaliſts, was, the expectation that ſome diſaſter had happened to Hambden, their capital and much-dreaded enemy. One of the priſoners taken in the action, ſaid, that he was confident Mr. Hambden was hurt: For he ſaw him, contrary to his uſual cuſtom, ride off the field, before the action was finiſhed; his head hanging down, and his hands leaning upon his horſe's neck. Next day, the news arrived, that he was ſhot in the ſhoulder with a brace of bullets, and the bone broken. Some days after, he died, in exquiſite pain, of his wound; nor could his whole party, had their army met with a total overthrow, have been thrown into greater conſternation. The king himſelf ſo highly valued him, that, either from generoſity or policy, he intended to have ſent him his own ſurgeon to aſſiſt at his cure [n].

1643. Death of Hambden.

MANY were the virtues and talents of this eminent perſonage; and his valour during the war, had ſhone out with a luſtre equal to that of the other accompliſhments, by which he had ever been diſtinguiſhed. Affability in converſation; temper, art, and eloquence in debate; penetration and diſcernment in council; induſtry, vigilance, and enterprize in action; all theſe praiſes are unanimouſly aſcribed to him by hiſtorians of the moſt oppoſite parties. His virtue too and integrity, in all the duties of private

[n] Warwick's Memoirs, p. 241. Clarendon, vol. i. p. 264.

life, are allowed to have been beyond exception: We muſt only be cautious, notwithſtanding his generous zeal for liberty, not haſtily to aſcribe to him the praiſes of a good citizen. Through all the horrors of civil war, he ſought the abolition of monarchy, and ſubverſion of the conſtitution; an end, which, had it been attainable by peaceful meaſures, ought carefully to have been avoided by every lover of his country. But whether, in the purſuit of this violent enterprize, he was actuated by private ambition, or by honeſt prejudices, derived from the former exorbitant powers of royalty, it belongs not to an hiſtorian of this age, ſcarcely even to an intimate friend, poſitively to determine [o].

ESSEX, diſcouraged by this event, diſmayed by the total rout of Waller, was farther informed, that the queen, who landed in Burlington-bay, had arrived at Oxford, and had brought from the north a reinforcement of three thouſand foot and fifteen hundred horſe. Diſlodging from Thame and Ayleſbury, where he had hitherto lain, he thought proper to retreat nearer to London, and he ſhewed to his friends his broken and diſheartened forces, which a few months before he had led into the field in ſo flouriſhing a condition. The king, freed from this enemy, ſent his army weſtward under prince Rupert; and, by their conjunction with the Corniſh troops, a formidable force, for numbers as well as reputation and valour, was compoſed. That an enterprize, correſpondent to men's expectations, might be undertaken, the prince reſolved to lay ſiege to Briſtol, the ſecond town for riches and greatneſs in the kingdom. Nathaniel Fiennes, the ſon of lord Say, he himſelf, as well as his father, a great parliamentary leader, was governor and commanded a garriſon of two thouſand five hundred foot, and two regiments, one of horſe, another of dragoons. The fortifications not being complete or regular, it was reſolved by Prince Rupert to ſtorm the city; and next morning, with little other proviſions ſuitable to ſuch a work, beſides the courage of the troops, the aſſault began. The Corniſh, in three diviſions, attacked the weſt ſide, with a reſolution which nothing could controul: But though the middle diviſion had already mounted the wall, ſo great was the diſadvantage of the ground, and ſo brave the defence of the garriſon, that in the end the aſſailants were repulſed with a conſiderable loſs both of officers and ſoldiers. On the prince's ſide, the aſſault was conducted with equal courage, and almoſt with equal loſs, but with better ſucceſs. One party, led by lord Grandiſon, was indeed beaten off, and the commander himſelf mortally wounded: Another conducted by colonel Bellaſis, met with a like fate: but Waſhington, with a leſs party, finding a place in the curtain weaker than the reſt, broke in, and quickly made room for the horſe to follow. By this irruption,

[o] See note [GG] at the end of the volume.

however, nothing but the ſuburbs was yet gained: The entrance into the town was ſtill more difficult: And by the loſs already ſuſtained, as well as by the proſpect of farther danger, every one was extremely diſcouraged: When, to the great joy of the army, the city beat a parley. The garriſon was allowed to march out with their arms and baggage, leaving their cannon, ammunition, and colours. For this inſtance of cowardice, Fiennes was afterwards tried by a court-martial, and condemned to loſe his head; but the ſentence was remitted by the general [p]. 1643. Briſtol taken. July. 25th.

GREAT complaints were made of violences exerciſed on the garriſon, contrary to the capitulation. An apology was made by the royaliſts, as if theſe were a retaliation for ſome violences, committed on their friends at the ſurrender of Reading. And under pretence of like retaliations, but really from the extreme animoſity of the parties, were ſuch irregularities continued during the whole courſe of the war [q].

THE loſs ſuſtained by the royaliſts in the aſſault of Briſtol, was conſiderable. Five hundred excellent ſoldiers periſhed. Among thoſe of condition were Grandiſon, Slanning, Trevannion, and Moyle: Bellaſis, Aſhley, and Sir John Owen, were wounded: Yet was the ſucceſs, upon the whole, ſo conſiderable as mightily raiſed the courage of the one party, and depreſſed that of the other. The king, to ſhow that he was not intoxicated with good fortune, nor aſpired to a total victory over the parliament, publiſhed a manifeſto; in which he renewed the proteſtation, formerly taken, with great ſolemnity, at the head of his army, and expreſſed his firm intention of making peace upon the re-eſtabliſhment of the conſtitution. Having joined the camp at Briſtol, and ſent prince Maurice with a detachment into Devonſhire, he deliberated how to employ the remaining forces in an enterprize of moment. Some propoſed, and ſeemingly with reaſon, to march directly to London; where every thing was in confuſion, where the army of the parliament was baffled, weakened, and diſmayed, and where, it was hoped, either by an inſurrection of the citizens, by victory, or by treaty, a ſpeedy end might be put to the civil diſorders. But this undertaking, by reaſon of the great number and force of the London militia, was thought by many to be attended with conſiderable difficulties. Gloceſter, lying within twenty miles, preſented an eaſier, yet a very important conqueſt. It was the only remaining garriſon poſſeſſed by the parliament in thoſe parts. Could that city be reduced, the king held the whole courſe of the Severn under his command; the rich and malcontent counties of the weſt, having loſt all protection from their friends, might be

[p] Ruſhworth, vol. vi. p. 184. Clarendon, vol. iii. p. 293, 294, &c.
[q] Clarendon, ubi ſupra, p. 297.

forced to pay high contributions, as an atonement for their diſaffection; an open communication could be preſerved between Wales and theſe new conqueſts; and half of the kingdom, being entirely freed from the enemy, and thus united into one firm body, might be employed in re-eſtabliſhing the king's authority throughout the remainder. Theſe were the reaſons for embracing that reſolution; fatal, as it was ever eſteemed, to the royal party[r].

1643. Siege of Gloceſter.

THE governor of Gloceſter was one Maſſey, a ſoldier of fortune, who, before he engaged with the parliament, had offered his ſervice to the king; and as he was free from the fumes of enthuſiaſm, by which moſt of the officers on that ſide were intoxicated, he would lend an ear it was preſumed, to propoſals for accommodation. But Maſſey was reſolute to preſerve an entire fidelity to his maſters; and though no enthuſiaſt himſelf, he well knew how to employ to advantage that enthuſiaſtic ſpirit ſo prevalent in his city and garriſon. The ſummons to ſurrender allowed two hours for an anſwer: But before that time expired, there appeared before the king two citizens, with lean, pale, ſharp, and diſmal viſages: Faces, ſo ſtrange and uncouth, according to lord Clarendon; figures, ſo habited and accoutered; as at once moved the moſt ſevere countenance to mirth, and the moſt cheerful heart to ſadneſs; It ſeemed impoſſible, that ſuch meſſengers could bring leſs than a defiance. The men, without any circumſtance of duty or good manners, in a pert, ſhrill, undiſmayed accent, ſaid, that they brought an anſwer from the godly city of Gloceſter: And extremely ready were they, according to the hiſtorian, to give inſolent and ſeditious replies to any queſtion: as if their buſineſs were chiefly, by provoking the king, to make him violate his own ſafe-conduct. The anſwer from the city was in theſe words: "We the inhabitants, magiſtrates, officers and ſoldiers, within "the garriſon of Gloceſter, unto his Majeſty's gracious meſſage, return "this humble anſwer: That we do keep this city, according to our oaths "and allegiance, to and for the uſe of his majeſty and his royal poſterity: "And do accordingly conceive ourſelves wholly bound to obey the com-"mands of his majeſty ſignified by both houſes of parliament: And are "reſolved by God's help to keep this city accordingly[s]." After theſe preliminaries, the ſiege was reſolutely undertaken by the army, and as reſolutely ſuſtained by the citizens and garriſon.

10th Aug.

WHEN intelligence of the ſiege of Gloceſter arrived in London, the conſternation among the inhabitants was as great as if the enemy were already at their gates. The rapid progreſs of the royaliſts threatened the parliament with immediate ſubjection: The factions and diſcontents among

[r] Whitlocke, p. 69. May, book iii. p. 91.

[s] Ruſh. vol. vi. p. 287. Clarendon, vol. iii. p. 315. May, book iii. p. 96.

themſelves, in the city, and throughout the neighbouring counties, prognoſticated ſome dangerous diviſion or inſurrection. Thoſe parliamentary leaders, it muſt be owned who had introduced ſuch mighty innovations into the Engliſh conſtitution, and who had projected ſo much greater, had not engaged in an enterprize which exceeded their courage and capacity. Great vigour, from the beginning, as well as wiſdom, they had diſplayed in all their counſels; and a furious, headſtrong body, broken looſe from the reſtraint of law, had hitherto been retained in ſubjection under their authority, and firmly united by zeal and paſſion, as by the moſt legal and eſtabliſhed government. A ſmall committee, on whom the two houſes devolved their power, had directed all their military operations, and had preſerved a ſecrecy in deliberation, and a promptitude in execution, beyond what the king, notwithſtanding the advantages poſſeſſed by a ſingle leader, had ever been able to attain. Senſible that no jealouſy was by their partizans entertained againſt them, they had on all occaſions exerted an authority much more deſpotic than the royaliſts, even during the preſſing exigencies of war, could with patience endure in their ſovereign. Whoever incurred their diſpleaſure, or was expoſed to their ſuſpicions, was committed to priſon, and proſecuted under the notion of delinquency: After all the old jails were full, many new ones were erected; and even the ſhips were crowded with the royaliſts, both gentry and clergy, who languiſhed below decks, and periſhed in thoſe unhealthy confinements: They impoſed taxes, the heavieſt, and of the moſt unuſual nature, by an ordinance of the two houſes: They voted a commiſſion for ſequeſtrations; and they ſeized, wherever they had power, the revenues of all the king's party [t]: And knowing that themſelves, and their adherents, were, by reſiſting the prince, expoſed to the penalties of law, they reſolved, by a ſevere adminiſtration, to overcome theſe terrors and to retain the people in obedience, by penalties of a more immediate execution. In the beginning of this ſummer, a combination, formed againſt them in London, had obliged them to exert the plenitude of their authority.

EDMOND WALLER, the firſt refiner of Engliſh verſification, was a member of the lower houſe; a man of conſiderable fortune, and not more diſtinguiſhed by his poetical genius than by his parliamentary talents, and by the politeneſs and elegance of his manners. As full of keen ſatire and invective in his eloquence, as of tenderneſs and panegyric in his poetry, he caught the attention of his hearers, and exerted the utmoſt boldneſs in blaming thoſe violent counſels, by which the commons were governed. Finding all oppoſition within doors to be fruitleſs, he endeavoured to form a party without, which might oblige the parliament to accept of reaſonable conditions, and reſtore

[t] The king afterwards copied from this example; but, as the far greater part of the nobility and landed gentry were his friends, he reaped much leſs profit from this meaſure.

peace to the nation. The charms of his converſation, joined to his character of courage and integrity, had procured him the entire confidence of Northumberland, Conway, and every eminent perſon of either ſex who reſided in London. They opened their breaſt to him without reſerve, and expreſſed their diſapprobation of the furious meaſures purſued by the commons, and their wiſhes that ſome expedient could be found for ſtopping ſo impetuous a career. Tomkins, Waller's brother-in-law, and Chaloner, the intimate friend of Tomkins, had entertained like ſentiments: And as the connexions of theſe two gentlemen lay chiefly in the city, they informed Waller, that the ſame abhorrence of war prevailed there, among all men of reaſon and moderation. Upon reflection, it ſeemed not impracticable that a combination might be formed between the lords and citizens; and, by mutual concert, the illegal taxes be refuſed, which the parliament, without the royal aſſent impoſed on the people. While this affair was in agitation, and liſts were making of ſuch as they conceived to be well-affected to their deſign; a ſervant of Tomkins, who had overheard their diſcourſe, immediately carried intelligence to Pym. Waller, Tomkins, and Chaloner were ſeized, and tried by a court martial [u]. They were all three condemned, and the two latter executed on gibbets erected before their own doors. A covenant, as a teſt, was taken [w] by the lords and commons, and impoſed on their army, and on all who lived within their quarters. Beſides reſolving to amend and reform their lives, the covenanters there vow, that they will never lay down their arms ſo long as the papiſts, now in open war againſt the parliament, ſhall, by force of arms, be protected from juſtice; they expreſs their abhorrence of the late conſpiracy; and they promiſe to aſſiſt to the utmoſt the forces raiſed by both houſes, againſt the forces levied by the king [x].

WALLER, as ſoon as impriſoned, ſenſible of the great danger into which he had fallen, was ſo ſeized with the dread of death, that all his former ſpirit deſerted him; and he confeſſed whatever he knew, without ſparing his moſt intimate friends, without regard to the confidence repoſed in him, without diſtinguiſhing between the negligence of familiar converſation and the ſchemes of a regular conſpiracy. With the moſt profound diſſimulation, he counterfeited ſuch remorſe of conſcience, that his execution was put off, out of mere chriſtian compaſſion, till he might recover the uſe of his underſtanding. He invited viſits from the ruling clergy of all ſects; and while he expreſſed his own penitence, he received their devout exhortations with humility and reverence, as conveying clearer conviction and information than in his life he had ever before attained. Preſents too, of which, as well as of flattery, theſe holy men were not inſenſible, were

[u] Ruſhworth, vol. vi. p. 326. Clarendon, vol. iii. p. 249, 250, &c. [w] 6th of June. [x] Ruſh. vol. vi. p. 325. Clarendon, vol. ii. p. 255.

distributed among them; as a small retribution for their prayers and ghostly counsel. And by all these artifices, more than from any regard to the beauty of his genius, of which, during that time of furious cant and faction, small account would be made, he prevailed so far as to have his life spared, and a fine of ten thousand pounds accepted in lieu of it [y].

THE severity, exercised against the conspiracy, or rather project, of Waller, encreased the authority of the parliament, and seemed to ensure them against like attempts for the future. But by the progress of the king's arms, the defeat of Sir William Waller, the taking of Bristol, the siege of Gloucester, a cry for peace was renewed, and with more violence than ever. Crowds of women, with a petition for that purpose, flocked about the house, and were so clamorous and importunate, that orders were given for dispersing them; and some of the females were killed in the fray [z]. Bedford, Holland, and Conway, had deserted the parliament, and had gone to Oxford; Clare and Lovelace had followed them [a]. Northumberland had retired to his country-seat: Essex himself shewed extreme dissatisfaction, and exhorted the parliament to make peace [b]. The upper house sent down terms of accommodation, more moderate than had hitherto been insisted on. It even passed by a majority among the commons, that these proposals should be transmitted to the king. The zealots took the alarm. A petition against peace was framed in the city, and presented by Pennington, the factious mayor. Multitudes attended him, and renewed all the former menaces against the moderate party [c]. The pulpits thundered, and rumours were spread of twenty thousand Irish, who had landed, and were to cut the throat of every protestant [d]. The majority was again turned to the other side; and all thoughts of pacification being dropped, every preparation was made for resistance, and for the immediate relief of Gloucester, on which the parliament was sensible all their hopes of success in the war did so much depend.

MASSEY, resolute to make a vigorous defence, and having under his command a city and garrison ambitious of the crown of martyrdom, had hitherto maintained the siege with courage and abilities, and had much retarded the advances of the king's army. By continual sallies, he infested them in their trenches, and gained sudden advantages over them: By disputing every inch of ground, he repressed the vigour and alacrity of their courage, elated by former successes. His garrison, however, was reduced to the last extremity; and he failed not, from time to time, to inform the parliament, that, unless speedily relieved, he should be necessitated, from the extreme want of provisions and ammunition, to open his gates to the enemy.

[y] Whitlocke, p. 66. Rushworth, vol. vi. p. 330. Clarendon, vol. iii. p. 253. 254. &c.
[z] Rushworth, vol vi. p. 357. [a] Whitlocke, p. 67. [b] Rush. vol. vi. p. 290.
[c] Idem, ibid. p. 356. [d] Clarendon, vol. iii. p. 320. Rush. vol vi. p. 588.

THE parliament, in order to repair their broken condition, and put themſelves in a poſture of defence, now exerted to the utmoſt their power and authority. They voted, that an army ſhould be levied under Sir William Waller, whom, notwithſtanding his misfortunes, they loaded with extraordinary careſſes. Having aſſociated in their cauſe the counties of Hertford, Eſſex, Cambridge, Norfolk, Suffolk, Lincoln, and Huntingdon, they gave the earl of Mancheſter a commiſſion to be general of the aſſociation, and appointed an army to be levied under his command. But, above all, they were intent that Eſſex's army, on which their whole fortune depended, ſhould be put in a condition of marching againſt the king. They excited afreſh their preachers to furious declamations againſt the royal cauſe. They even employed the expedient of preſſing, though aboliſhed by a late law, for which they had ſtrenuouſly contended [e]. And they engaged the city to ſend four regiments of its militia to the relief of Gloceſter. All ſhops, meanwhile, were ordered to be ſhut; and every man expected, with the utmoſt anxiety, the event of that important enterprize [f].

ESSEX, carrying with him a well-appointed army of 14,000 men, took the road of Bedford and Leiceſter; and, though inferior in cavalry, yet, by the mere force of conduct and diſcipline, he paſſed over thoſe open champaign countries, and defended himſelf from the enemy's horſe, who had advanced to meet him, and who infeſted him during his whole march. As he approached to Gloceſter, the king was obliged to raiſe the ſiege, and open the way for Eſſex to enter that city. The neceſſities of the garriſon were extreme. One barrel of powder was their whole ſtock of ammunition remaining; and their other proviſions were in the ſame proportion. Eſſex had brought with him military ſtores; and the neighbouring country abundantly ſupplied him with victuals of every kind. The inhabitants had carefully concealed all proviſions from the king's army, and, pretending to be quite exhauſted, had reſerved their ſtores for that cauſe, which they ſo much favoured [g].

THE chief difficulty ſtill remained. Eſſex dreaded a battle with the king's army, on account of its great ſuperiority in cavalry; and he reſolved to return, if poſſible, without running that hazard. He lay five days at Tewkeſbury, which was his firſt ſtage after leaving Gloceſter; and he feigned, by ſome preparations, to point towards Worceſter. By a forced march during the night, he reached Cirenceſter, and obtained the double advantage of paſſing unmoleſted an open country, and of ſurpriſing a convoy of proviſions, which lay in that town [h]. Without delay, he proceeded towards London; but, when he reached Newbury, he was ſurpriz-

[e] Ruſh. vol. vi. p. 292. [f] Idem, ibid. [g] Clarendon, vol. iii. p. 344.
[h] Ruſh. vol. vi. p. 292.

ed to find, that the king, by haſty marches, had arrived before him, and was already poſſeſſed of the place.

1643. 40th Sept. Battle of Newbury.

AN action was now unavoidable; and Eſſex prepared for it with preſence of mind, and not without military conduct. On both ſides, the battle was fought with deſperate valour and a ſteady bravery. Eſſex's horſe were ſeveral times broken by the king's, but his infantry maintained themſelves in firm array; and, beſides giving a continued fire, they preſented an invincible rampart of pikes againſt the furious ſhock of prince Rupert, and thoſe gallant troops of gentry, of which the royal cavalry was chiefly compoſed. The militia of London eſpecially, though utterly unacquainted with action, though drawn but a few days before from their ordinary occupations, yet having learned all military exerciſes, and being animated with unconquerable zeal for the cauſe, in which they were engaged, equalled, on this occaſion, what could be expected from the moſt veteran forces. While the armies were engaged with the utmoſt ardour, night put an end to the action, and left the victory undecided. Next morning, Eſſex proceeded on his march; and though his rear was once put in ſome diſorder by an incurſion of the king's horſe, he reached London in ſafety, and received applauſe for his conduct and ſucceſs in the whole enterprize. The king followed him on his march; and having taken poſſeſſion of Reading after the earl left it, he there eſtabliſhed a garriſon; and ſtraitened, by that means, London and the quarters of the enemy [i].

IN the battle of Newbury, on the part of the king, beſides the earls of Sunderland and Carnarvon, two noblemen of promiſing hopes, was unfortunately ſlain, to the regret of every lover of ingenuity and virtue throughout the kingdom, Lucius Cary viſcount Falkland, ſecretary of ſtate. Before aſſembling the preſent parliament, this man, devoted to the purſuits of learning, and to the ſociety of all the polite and elegant, had enjoyed himſelf in every pleaſure, which a fine genius, a generous diſpoſition, and an opulent fortune could afford. Called into public life, he ſtood foremoſt in all attacks on the high prerogatives of the crown; and diſplayed that maſculine eloquence, and undaunted love of liberty, which from his intimate acquaintance with the ſublime ſpirits of antiquity, he had greedily imbibed. When civil convulſions proceeded to extremities, and it became requiſite for him to chuſe his ſide; he tempered the ardour of his zeal, and embraced the defence of thoſe limited powers which remained to monarchy, and which he deemed neceſſary for the ſupport of the Engliſh conſtitution. Still anxious however, for his country, he ſeems to have dreaded the too proſperous ſucceſs of his own party as much as of the enemy; and among his intimate friends, often after a very deep ſilence, and fre-

i Ruſh. vol. vi. p. 393. Clarendon, vol. iii. p. 347.

quent ſighs, he would, with a ſad accent, reiterate the word, *Peace*. In excuſe for the too free expoſing of his perſon, which ſeemed unſuitable in a ſecretary of ſtate, he alledged, that it became him to be more active than other men in all hazardous enterprizes; leſt his impatience for peace might bear the imputation of cowardice or puſillanimity. From the commencement of the war, his natural cheerfulneſs and vivacity became clouded; and even his uſual attention to dreſs, required by his birth and ſtation, gave way to a negligence which was eaſily obſervable. On the morning of the battle in which he fell, he had ſhown ſome care of adorning his perſon; and gave for a reaſon, that the enemy ſhould not find his body in any ſlovenly indecent ſituation. "I am weary," ſubjoined he, "of the times, 'and foreſee much miſery to my country; but believe that I ſhall be out "of it ere night [k]. This excellent perſon was but thirty-four years of age, when a period was thus put to his life.

THE loſs ſuſtained on both ſides in the battle of Newbury, and the advanced ſeaſon obliged the armies to retire into winter-quarters.

1643. Actions in the north.

IN the north, during this ſummer, the great intereſt and popularity of the earl, now created marquis of Newcaſtle, had raiſed a conſiderable force for the king; and great hopes of ſucceſs were entertained from that quarter. There appeared however, in oppoſition to him, two men, on whom the event of the war finally depended, and who began about this time to be remarked for their valour and military conduct. Theſe were Sir Thomas Fairfax, ſon of the lord of that name, and Oliver Cromwel. The former gained a conſiderable advantage at Wakefield [l] over a detachment of royaliſts, and took general Goring priſoner: The latter obtained a victory at Gainſborow [m], over a party commanded by the gallant Cavendiſh, who periſhed in the action. But both theſe defeats of the royaliſts were more than ſufficiently compenſated by the total rout of the lord Fairfax at Atherton moor [n], and the diſperſion of his army. After this victory, Newcaſtle, with an army of 15,000 men, ſat down before Hull. Hotham was no longer governor of this place. That gentleman and his ſon, partly from a jealouſy entertained of lord Fairfax, partly repenting of their engagements againſt the king, had entered into a correſpondence with Newcaſtle, and had expreſſed an intention of delivering Hull into his hands. But their conſpiracy being detected, they were arreſted and ſent priſoners into London; where without any regard to their former ſervices, they fell both of them victims to the ſeverity of parliament [o].

NEWCASTLE, having carried on the attack of Hull for ſome time, was beat off by a ſally of the garriſon [p], and ſuffered ſo much, that he thought

[k] Whitlocke. p. 70. Clarendon, vol. iii. p. 350, 351, &c. [l] 21ſt of May.
[m] 31ſt of July. [n] 30th of June. [o] Ruſh. vol. vi. p. 275 [p] 12th of October.

proper to raiſe the ſiege. About the ſame time, Mancheſter, who advanced from the eaſtern aſſociated counties, having joined Cromwel andyoung Fairfax, obtained a conſiderable victory over the royaliſts at Horn Caſtle; where the two officers laſt mentioned gained renown by their conduct and gallantry. And though fortune had thus balanced her favours, the king's party ſtill remained much ſuperior in thoſe parts of England; and had it not been for the garriſon of Hull, which kept Yorkſhire in awe, a conjunction of the northern forces, with the army of the ſouth might have been made and had probably enabled the king, inſtead of entering on the unfortunate perhaps imprudent enterprize of Gloceſter, to march directly to London, and put an end to the war [q].

WHILE the military enterprizes were carried on with vigour in England, and the event became every day more doubtful, both parties caſt their eye towards the neighbouring kingdoms, and ſought aſſiſtance for the finiſhing of that enterprize, in which their own forces experienced ſuch furious oppoſition. The parliament had recourſe to Scotland; the king to Ireland.

WHEN the Scottiſh covenanters obtained that end, for which they ſo earneſtly contended, the eſtabliſhment of preſbyterian diſcipline, in their own country, they were not ſatisfied, but indulged ſtill an ardent paſſion for propagating, by all methods, that mode of religion in the neighbouring kingdoms. Having flattered themſelves, in the fervour of their zeal, that, by ſupernatural aſſiſtances, they ſhould be enabled to carry their triumphant covenant to the gates of Rome itſelf, it behoved them firſt to render it prevalent in England, which already ſhowed ſo great a diſpoſition to receive it. Even in the articles of pacification, they expreſſed a deſire of uniformity in worſhip with England; and the king, employing general expreſſions, had approved of this inclination, as pious and laudable. No ſooner was there any appearance of a rupture, than the Engliſh parliament, in order to allure that nation into a cloſe confederacy, openly declared their wiſhes of eccleſiaſtical reformation, and of imitating the example of their northern brethren [r]. When war was actually commenced the ſame artifices were uſed; and the Scots beheld, with the utmoſt impatience, a ſcene of action, of which they could not deem themſelves indifferent ſpectators. Should the king, they ſaid, be able, by force of arms, to prevail over the parliament of England, and re-eſtabliſh his authority in that powerful kingdom, he will, undoubtedly retract all thoſe conceſſions, which, with ſo many circumſtances of violence and indignity, the Scots have extorted from him. Beſides a ſenſe of his own intereſt, and a regard to royal power, which has been entirely annihilated in this

[q] Warwic, p. 261. Walker p. 278. [r] Ruſh. vol. 6. p. 390, Clarendon, vol. ii. p. 68.

country; his very paſſion for prelacy and for religious ceremonies, muſt lead him to invade a church which he has ever been taught to regard as antichriſtian and unlawful. Let us but conſider who the perſons are that compoſe the factions now ſo furiouſly engaged in arms. Does not the parliament conſiſt of thoſe very men who have ever oppoſed all war with Scotland, who have puniſhed the authors of our oppreſſions, who have obtained us the redreſs of every grievance, and who, with many honourable expreſſions, have conferred on us an ample reward for our brotherly aſſiſtance? And is not the court full of papiſts, prelates, malignants; all of them zealous enemies to our religious model, and reſolute to ſacrifice their lives for their idolatrous eſtabliſhments? Not to mention our own neceſſary ſecurity; can we better expreſs our gratitude to heaven for that pure light with which we are, above all nations, ſo eminently diſtinguiſhed, than by conveying the ſame divine knowledge to our unhappy neighbours, who are wading through a ſea of blood in order to attain it? Theſe were, in Scotland, the topics of every converſation: With theſe doctrines the pulpits echoed; And the famous curſe of Meroz, that curſe ſo ſolemnly denounced and reiterated againſt neutrality and moderation, reſounded from all quarters [z].

THE parliament of England had ever invited the Scots, from the commencement of the civil diſſentions, to interpoſe their mediation, which they knew, would be ſo little favourable to the king: And the king, for that very reaſon, had ever endeavoured, with the leaſt offenſive expreſſions, to decline it [t]. Early this ſpring, the earl of Loudon the chancellor, with other commiſſioners, and attended by Henderſon, a popular and intriguing preacher, was ſent to the king at Oxford, and renewed the offer of mediation; but with the ſame ſucceſs as before. The commiſſioners were alſo empowered to preſs the king on the article of religion, and to recommend to him the Scottiſh model of eccleſiaſtic worſhip and diſcipline. This was touching Charles in a very tender point: His honour, his conſcience, as well as intereſt, he believed to be intimately concerned in ſupporting prelacy and the liturgy [u]. He begged the commiſſioners, therefore, to remain ſatisfied with the conceſſions which he had made to Scotland; and, having modelled their own church according to their own principles, to leave their neighbours in the like liberty, and not to intermeddle with affairs, of which they could not be ſuppoſed competent judges [w].

THE divines of Oxford, ſecure, as they imagined, of a victory, by means

[z] Curſe ye Meroz, ſaid the angel of the Lord; curſe ye bitterly the inhabitants thereof: Becauſe they came not to the help of the Lord, to the help of the Lord, againſt the mighty. Judges, chap. v. verſe 32.

[t] Ruſh. vol. vi. p. 398. [u] See note [HH] at the end of the volume. [w] Ruſh. vol. vi. p. 462.

of their authorities from church hiſtory, their quotations from the fathers, and their ſpiritual arguments, deſired a conference with Henderſon, and undertook, by dint of reaſoning, to convert that great apoſtle of the north: But Henderſon, who had ever regarded, as impious, the leaſt doubt with regard to his own principles, and who knew of a much better way to reduce opponents than by employing any theological topics, abſolutely refuſed all diſputation or controverſy. The Engliſh divines went away full of admiration at the blind aſſurance and bigoted prejudices of the man: He, on his part, was moved with equal wonder at their obſtinate attachment to ſuch palpable errors and deluſions.

By the conceſſions which the king had granted to Scotland, it became neceſſary for him to ſummon a parliament once in three years; and in June of the ſubſequent year, was fixed the period for the meeting of that aſſembly. Before that time elapſed, Charles flattered himſelf that he ſhould be able, by ſome deciſive advantage, to reduce the Engliſh parliament to a reaſonable ſubmiſſion, and might then expect, with ſecurity, the meeting of a Scottiſh parliament. Though earneſtly ſolicited by Loudon to ſummon preſently that great council of the nation, he abſolutely refuſed to give authority to men who had already excited ſuch dangerous commotions, and who ſhowed ſtill the ſame diſpoſition to reſiſt and invade his authority. The commiſſioners, therefore, not being able to prevail in any of their demands, deſired the king's paſſport for London, where they purpoſed to confer with the Engliſh parliament [x]; and being likewiſe denied this requeſt, they returned with extreme diſſatisfaction to Edinburgh.

The office of conſervators of the peace was newly erected in Scotland, in order to maintain the confederacy between the two kingdoms; and theſe, inſtigated by the clergy, were reſolved, ſince they could not obtain the king's conſent, to ſummon, in his name, but by their own authority, a convention of ſtates; and to bereave their ſovereign of this article, the only one which remained of his prerogative. Under colour of providing for national peace, endangered by the neighbourhood of Engliſh armies, was a convention called [y]; an aſſembly, which, though it meets with leſs ſolemnity, has the ſame authority as a parliament, in raiſing money and levying forces. Hamilton, and his brother the earl of Laneric, who had been ſent into Scotland in order to oppoſe theſe meaſures, wanted either authority or ſincerity; and paſſively yielded to the torrent. The general aſſembly of the church met at the ſame time with the convention; and, exerciſing an authority almoſt abſolute over the whole civil power, made every political conſideration yield to their theological zeal and prejudices.

The Engliſh parliament was, at that time, fallen into great diſtreſs, by

[x] Ruſh. vol. vi. p. 406. [y] 22d of June.

the progreſs of the royal arms; and they gladly ſent to Edinburgh commiſſioners, with ample powers to treat of a nearer union and confederacy with the Scottiſh nation. The perſons employed were the earl of Rutland, Sir William Armyne, Sir Henry Vane the younger, Thomas Hatcher, and Henry Darley, attended by Marſhal and Nye, two clergymen of ſignal authority [z]. In this negociation, the man chiefly truſted was Vane, who, in eloquence, addreſs, capacity, as well as in art and diſſimulation, was not ſurpaſſed by any one, even during that age, ſo famous for active talents. By his perſuaſion was framed at Edinburgh, that SOLEMN LEAGUE AND COVENANT, which effaced all former proteſtations and vows taken in both kingdoms; and long maintained its credit and authority. In this covenant, the ſubſcribers, beſides engaging mutually to defend each other againſt all opponents, bound themſelves to endeavour, without reſpect of perſons, the extirpation of popery and prelacy, ſuperſtition, hereſy, ſchiſm, and profaneneſs; to maintain the rights and privileges of parliaments, together with the king's authority; and to diſcover and bring to juſtice all incendiaries and malignants [z].

1643. Solemn league and covenant.

THE ſubſcribers of the covenant vowed alſo to preſerve the reformed religion eſtabliſhed in the church of Scotland; but by the artifice of Vane, no declaration more explicit was made with regard to England and Ireland, than that theſe kingdoms ſhould be reformed, according to the word of God, and the example of the pureſt churches. The Scottiſh zealots, when prelacy was abjured, deemed this expreſſion quite free from ambiguity, and regarded their own model as the only one which correſponded, in any degree, to ſuch a deſcription: But that able politician had other views; and while he employed his great talents in over-reaching the preſbyterians, and ſecretly laughed at their ſimplicity, he had blindly devoted himſelf to the maintenance of ſyſtems ſtill more abſurd and more dangerous.

In the Engliſh parliament there remained ſome members, who, though they had been induced, either by private ambition, or by zeal for civil liberty, to concur with the majority, ſtill retained an attachment to the hierarchy, and to the ancient modes of worſhip. But, in the preſent danger which threatened their cauſe, all ſcruples were laid aſide; and the covenant, by whoſe means alone they could expect to obtain ſo conſiderable a reinforcement as the acceſſion of the Scottiſh nation, was received without oppoſition. The parliament, therefore, having firſt ſubſcribed it themſelves, ordered it to be received by all who lived under their authority.

Sept 17.

GREAT were the rejoicings among the Scots, that they ſhould be the

[z] Whitlocke, p. 73. Ruſh. vol. vi. p. 467. Clarendon, vol. iii. p. 300. [a] Ruſh. vol. vi. p. 478. Clarendon, vol. iii. p. 373.

happy inſtruments of extending their mode of religion, and diſſipating that profound darkneſs in which the neighbouring nations were involved. The general aſſembly applauded this glorious imitation of the piety diſplayed by their anceſtors, who, they ſaid, in three different applications, during the reign of Elizabeth, had endeavoured to engage the Engliſh, by perſuaſion, to lay aſide the uſe of the ſurplice, tippet, and corner-cap [b]. The convention too, in the height of their zeal, ordered every one to ſwear to this covenant, under the penalty of confiſcation; beſide what farther puniſhment it ſhould pleaſe the enſuing parliament to inflict on the refuſers, as enemies to God, to the king, and to the kingdom. And being determined that the ſword ſhould carry conviction to all refractory minds, they prepared themſelves, with great vigilance and activity, for their military enterprizes. By means of a hundred thouſand pounds, which they received from England; by the hopes of good pay and warm quarters; not to mention men's favourable diſpoſition towards the cauſe; they ſoon completed their levies. And, having added, to their other forces, the troops which they had recalled from Ireland, they were ready, about the end of the year, to enter England, under the command of their old general, the earl of Leven, with an army of above twenty thouſand men [c]. 1643. Arming of the Scots.

THE king, foreſeeing this tempeſt which was gathering upon him, endeavoured to ſecure himſelf by every expedient; and he caſt his eye towards Ireland, in hopes that this kingdom, from which his cauſe had already received ſo much prejudice, might at length contribute ſomewhat towards his protection and ſecurity.

AFTER the commencement of the Iriſh inſurrection, the Engliſh parliament, though they undertook the ſuppreſſion of it, had ever been too much engaged, either in military projects, or expeditions at home, to take any effectual ſtep towards finiſhing that enterprize. They had entered, indeed, into a contract with the Scots, for ſending over an army of ten thouſand men into Ireland; and, in order to engage that nation in this undertaking, beſide giving a promiſe of pay, they agreed to put Carickfergus into their hands, and to inveſt their general with an authority quite independent of the Engliſh government. Theſe troops, ſo long as they were allowed to remain, were uſeful, by diverting the force of the Iriſh rebels, and protecting in the north the ſmall remnants of the Britiſh planters. But, except this contract with the Scottiſh nation, all the other meaſures of the parliament either were hitherto abſolutely inſignificant, or tended rather to the prejudice of the proteſtant cauſe in Ireland. By continuing their violent perſecution, and State of Ireland.

[b] Ruſhworth, vol. vi. p. 388. [c] Clarendon, vol. iii. p. 383

ſtill more violent menaces againſt prieſts and papiſts, they confirmed the Iriſh catholics in their rebellion, and cut off all hopes of indulgence and toleration. By diſpoſing beforehand of all the Iriſh forfeitures to ſubſcribers or adventurers, they rendered all men of property deſperate, and ſeemed to threaten a total extirpation of the natives [d]. And while they thus infuſed zeal and animoſity into the enemy, no meaſure was purſued which could tend to ſupport or encourage the proteſtants, now reduced to the laſt extremities.

So great is the aſcendant which, from a long courſe of ſucceſſes, the Engliſh has acquired over the Iriſh nation, that though the latter, when they receive military diſcipline among foreigners, are not ſurpaſſed by any troops, they had never, in their own country, been able to make any vigorous effort for the defence or recovery of their liberties. In many rencounters, the Engliſh, under lord More, Sir William St. Leger, Sir Frederic Hamilton, and others, had, though under great diſadvantages of ſituation and numbers, put the Iriſh to rout, and returned in triumph to Dublin. The rebels raiſed the ſiege of Tredah, after an obſtinate defence made by the garriſon [e]. Ormond had obtained two complete victories at Kilruſh and Roſs; and had brought relief to all the forts, which were beſieged or blockaded in different parts of the kingdom [f]. But notwithſtanding theſe ſucceſſes, even the moſt common neceſſaries of life were wanting to the victorious armies. The Iriſh, in their wild rage againſt the Britiſh planters, had laid waſte the whole kingdom, and were themſelves totally unfit, from their habitual ſloth and ignorance, to raiſe any convenience of human life. During the courſe of ſix months no ſupplies had come from England, except the fourth part of one ſmall veſſel's lading. Dublin, to ſave itſelf from ſtarving, had been obliged to ſend the greater part of its inhabitants to England. The army had little ammunition, ſcarcely exceeding forty barrels of gun-powder; not even ſhoes or cloaths; and for want of food the ſoldiers had been obliged to eat their own horſes. And though the diſtreſs of the Iriſh was not much inferior [g]; beſides that they were more hardened againſt ſuch extremities, it was but a melancholy reflection, that the two nations, while they continued their furious animoſities, ſhould make deſolate that fertile iſland, which might ſerve to the ſubſiſtence and happineſs of both.

THE juſtices and council of Ireland had been engaged chiefly by the intereſt and authority of Ormond, to fall into an entire dependence on the king. Parſons, Temple, Loftus, and Meredith, who favoured the oppo-

[d] A thouſand acres in Ulſter were given to every one that ſubſcribed 200 pounds, in Connaught to the ſubſcribers of 350, in Munſter for 450, in Leinſter for 600.

[e] Ruſhworth, vol. vi. p. 566. [f] Idem, ibid. p. 511. [g] Idem, ibid. p. 555.

site party, had been removed; and Charles had supplied their place by others, better affected to his service. A committee of the English house of commons, which had been sent over to Ireland, in order to conduct the affairs of that kingdom, had been excluded the council, in obedience to orders transmitted from the king [h]. And these were reasons sufficient, besides the great difficulties, under which they themselves laboured, why the parliament was unwilling to send supplies to an army, which, though engaged in a cause much favoured by them, was commanded by their declared enemies. They even intercepted some small succours sent thither by the king.

THE king, as he had neither money, arms, ammunition, nor provisions to spare from his own urgent wants, resolved to embrace an expedient, which might at once relieve the necessities of the Irish protestants, and contribute to the advancement of his affairs in England. A truce with the rebels, he thought, would enable his subjects in Ireland to provide for their own support, and would procure him the assistance of the army against the English parliament. But as a treaty with a people, so odious for their barbarities, and still more for their religion, might be represented in invidious colours, and renew all those calumnies with which he had been loaded; it was necessary to proceed with great caution in conducting that measure. A remonstrance from the army was made to the Irish council, representing their intolerable necessities, and craving permission to leave the kingdom: And if that were refused, *We must have recourse*, they said, *to that first and primary law, with which God has endowed all men; we mean the law of nature, which teaches every creature to preserve itself* [i]. Memorials both to the king and parliament were transmitted by the justices and council, in which their wants and dangers are strongly set forth [k]; and though the general expressions in these memorials might perhaps be suspected of exaggeration, yet from the particular facts mentioned, from the confession of the English parliament itself [l]; and from the very nature of things, it is apparent that the Irish protestants were reduced to great extremities [m]; and it became prudent in the king, if not absolutely necessary, to embrace some expedient, which might secure them, for a time, from the ruin and misery with which they were threatened.

ACCORDINGLY, the king gave orders [n] to Ormond and the justices to

[h] Rush. vol. vi. p. 536. Clarendon, vol. iii. p. 167. [i] Rushworth, vol. vi. p. 537. [k] Idem. ibid. p. 538. [l] Rush. vol vi. p. 540. [m] See father Carte's Ormond, vol. iii. No. 113. 117, 118, 129. 134. 136. 141. 144. 149. 158, 159. All these papers put it past doubt, that the necessities of the English army in Ireland were extreme. See farther, Rush. vol. vi. p. 537. and Dudgale, p. 853, 854. [n] 7th September. See Rush. vol. vi. p. 537. 544. 547.

conclude, for a year, a ceſſation of arms with the council of Kilkenny, by whom the Iriſh were governed, and to leave both ſides in poſſeſſion of their preſent advantages. The parliament, whoſe buſineſs it was, to find fault with every meaſure adopted by the oppoſite party, and who would not loſe ſo fair an opportunity of reproaching the king with his favour to the Iriſh papiſts, exclaimed loudly againſt this ceſſation. Among other reaſons, they inſiſted upon the divine vengeance, which England might juſtly dread for tolerating antichriſtian idolatry, on pretence of civil contracts and political agreements [o]. Religion, though every day employed as the engine of their own ambitious purpoſes, was ſuppoſed too ſacred to be yielded up to the temporal intereſts or ſafety of kingdoms.

AFTER the ceſſation, there was little neceſſity, as well as no means of ſubſiſting the army in Ireland. The king ordered Ormond, who was entirely devoted to him, to ſend over conſiderable bodies of it to England. Moſt of them continued in his ſervice: But a ſmall part having imbibed in Ireland a ſtrong animoſity againſt the catholics, and hearing the king's party univerſally reproached with popery, ſoon after deſerted to the parliament.

SOME Iriſh catholics came over with theſe troops, and joined the royal army, where they continued the ſame cruelties, and diſorders to which they had been accuſtomed [p]. The parliament voted, that no quarter, in any action, ſhould ever be given them: But prince Rupert, by making ſome reprizals, ſoon repreſſed this inhumanity [q].

CHAP LVII.

Invaſion of the Scots——Battle of Marſton-moor—Battle of Cropredy-bridge——Eſſex's forces diſarmed——Second battle of Newbury——Riſe and character of the Independents——Self-denying ordinance—Fairfax, Cromwell—Treaty of Uxbridge——Execution of Laud.

THE king had hitherto, during the courſe of the war, obtained many advantages over the parliament, and had raiſed himſelf, from that low condition into which he had at firſt fallen, to be nearly upon an equal footing with his adverſaries. Yorkſhire, and all the northern counties, were reduced by the marqueſs of Newcaſtle; and, excepting Hull, the parliament was maſter of no garriſon in theſe quarters. In the weſt, Plymouth alone, having been in vain beſieged by prince Maurice, reſiſted the

[o] Ruſh. vol. vi. p. 557. [p] Whitlocke, p. 78. 103. [q] Ruſh. vol. vi. p. 680. 783.

king's authority: And had it not been for the diſappointment in the enterprize of Glouceſter, the royal garriſons had reached, without interruption, from one end of the kingdom to the other; and had occupied a greater extent of ground than thoſe of the parliament. Many of the royaliſts flattered themſelves, that the ſame vigorous ſpirit, which had elevated them to the preſent height of power, would ſtill favour their progreſs, and obtain them a final victory over their enemies: But thoſe who judged more ſoundly, obſerved, that, beſides the acceſſion of the whole Scottiſh nation to the ſide of the parliament; the very principle on which the royal ſucceſſes had been founded, was every day acquired more and more, by the oppoſite party. The king's troops, full of gentry and nobility, had exerted a valour ſuperior to their enemies, and had hitherto been ſucceſsful in almoſt every rencounter: But, in proportion as the whole nation became warlike, by the continuance of civil diſcords, this advantage was more equally ſhared; and ſuperior numbers, it was expected, muſt at length obtain the victory. The king's troops alſo, ill paid, and deſtitute of every neceſſary, could not poſſibly be retained in equal diſcipline with the parliamentary forces, to whom all ſupplies were furniſhed from unexhauſted ſtores and treaſures [a]. The ſeverity of manners, ſo much affected by theſe zealous religioniſts, aſſiſted their military inſtitutions; and the rigid inflexibility of character, by which the auſtere reformers of church and ſtate were diſtinguiſhed, enabled the parliamentary chiefs to reſtrain their ſoldiers within ſtricter rules and more exact order. And while the king's officers indulged themſelves even in greater licences than thoſe to which, during times of peace, they had been accuſtomed, they were apt, both to neglect their military duty, and to ſet a pernicious example of diſorder to the ſoldiers under their command.

AT the commencement of the civil war, all Engliſhmen, who ſerved abroad, were invited over, and treated with extraordinary reſpect: And moſt of them, being deſcended of good families, and, by reaſon of their abſence, unacquainted with the new principles which depreſſed the dignity of the crown, had inliſted under the royal ſtandard. But it is obſervable, that, though the military profeſſion requires great genius, and long experience, in the principal commanders, all its ſubordinate duties may be diſcharged by ordinary talents, and from ſuperficial practice. Citizens and country-gentlemen ſoon became excellent officers; and the generals of greateſt fame and capacity happened, all of them, to ſpring up on the ſide of the parliament. The courtiers and great nobility, in the other party, checked the growth of any extraordinary genius among the ſubordinate

[a] Ruſh. vol. vi. p. 560.

officers; and every man there, as in a regular eſtabliſhed government, was confined to the ſtation in which his birth had placed him.

THE king, that he might make preparations, during winter, for the enſuing campaign, ſummoned to Oxford all the members of either houſe, who adhered to his intereſts [a]; and endeavoured to avail himſelf of the name of parliament, ſo paſſionately cheriſhed by the Engliſh nation [b]. The houſe of peers was pretty full; and, beſides the nobility employed in different parts of the kingdom, it contained twice as many members as commonly voted at Weſtminſter. The houſe of commons conſiſted of about 140; which amounted not to above half of the other houſe of commons [c].

So extremely light had government hitherto lain upon the people, that the very name of *excise* was unknown to them; and, among the other evils ariſing from theſe domeſtic wars, was the introduction of that impoſt into England. The parliament at Weſtminſter having voted an exciſe on beer, wine, and other commodities; thoſe at Oxford imitated the example, and conferred that revenue on the king. And, in order to enable him the better to recruit his army, they granted him the ſum of 100,000 pounds, to be levied by way of loan upon the ſubject. The king circulated privy ſeals, counterſigned by the ſpeakers of both houſes, requiring the loan of particular ſums from ſuch perſons as lived within his quarters [d]. Neither party had as yet got above the pedantry of reproaching their antagoniſts with theſe illegal meaſures.

THE Weſtminſter parliament paſſed a whimſical ordinance, commanding all the inhabitants of London and the neighbourhood, to retrench a meal a week, and to pay the value of it for the ſupport of the public cauſe [e]. It is eaſily imagined, that, provided the money were paid, they troubled themſelves but little about the execution of their ordinance.

SUCH was the king's ſituation, that, in order to reſtore peace to the nation, he had no occaſion to demand any other terms than the reſtoring of the laws and conſtitution; the replacing him in the ſame rights which had ever been enjoyed by his predeceſſors; and the re-eſtabliſhing, on its ancient baſis, the whole frame of government, civil as well as eccleſiaſtical. And, that he might facilitate an end ſeemingly ſo deſirable, he offered to employ means equally popular, an univerſal act of oblivion, and a toleration or indulgence to tender conſciences. Nothing therefore could contribute more to his intereſts than every diſcourſe of peace, and every diſcuſſion of the conditions upon which that bleſſing could be obtained. For this reaſon, he ſolicited a treaty, on all occaſions, and deſired a confer-

[b] Ruſh. vol. vi. p. 559. [c] Idem, p. 566, 574, 575. [d] Idem, p. 590.
[e] Dugdale, p. 119. Ruſh. vol. vi. p. 748.

rence and mutual examination of pretenſions, even when he entertained no hopes that any concluſion could poſſibly reſult from it.

FOR like reaſons, the parliament prudently avoided, as much as poſſible, all advances towards negociation, and were cautious not to expoſe too eaſily to cenſure thoſe high terms, which their apprehenſions or their ambition made them previouſly demand of the king. Though their partizans were blinded with the thickeſt veil of religious prejudices, they dreaded to bring their pretenſions to the teſt, or lay them open before the whole nation. In oppoſition to the ſacred authority of the laws, to the venerable precedents of many ages, the popular leaders were aſhamed to plead nothing but fears and jealouſies, which were not avowed by the conſtitution, and for which, neither the perſonal character of Charles, ſo full of virtue, nor his ſituation, ſo deprived of all independent authority, ſeemed to afford any reaſonable foundation. Grievances which had been fully redreſſed; powers, either legal or illegal, which had been entirely renounced; it ſeemed unpopular, and invidious, and ungrateful, any farther to inſiſt on.

THE king that he might abate the univerſal veneration paid to the name of parliament, had iſſued a declaration, in which he ſet forth all the tumults by which himſelf and his partizans in both houſes had been driven from London; and he thence inferred, that the aſſembly at Weſtminſter was no longer a free parliament, and, till its liberty were reſtored, was intitled to no authority. As this declaration was an obſtacle to all treaty, ſome contrivance ſeemed requiſite, in order to elude it.

A LETTER was written in the foregoing ſpring, to the earl of Eſſex, and ſubſcribed by the prince, the duke of York and forty-three noblemen [f]. They there exhort him to be an inſtrument of reſtoring peace, and to promote that happy end with thoſe by whom he was employed. Eſſex, though much diſguſted with the parliament, though apprehenſive of the extremities to which they were driving, though deſirous of any reaſonable accommodation; yet was ſtill more reſolute to preſerve an honourable fidelity to the truſt repoſed in him. He replied, that as the paper ſent him neither contained any addreſs to the two houſes of parliament, nor any acknowledgment of their authority, he could not communicate it to them. Like propoſals had been reiterated by the king, during the enſuing campaign, and ſtill met with a like anſwer from Eſſex [g].

IN order to make a new trial for a treaty, the king, this ſpring, ſent another letter, directed to the lords and commons of parliament aſſembled at Weſtminſter: But as he alſo mentioned, in the letter, the lords and commons

[f] Clarendon, vol. iii. p. 442. Ruſh. vol. vi. p. 566. Whitlocke, p. 77.
[g] Clarendon, vol. iii. p 444. Ruſh. vol. vi. p. 569, 570. Whitlocke, p. 94.

of parliament aſſembled at Oxford, and declared, that his ſcope and intention was to make proviſion, that all the members of both houſes might ſecurely meet in a full and free aſſembly; the parliament perceiving the concluſion implied, refuſed all treaty upon ſuch terms [h]. And the king, who knew what ſmall hopes there were of accommodation, would not abandon the pretenſions which he had aſſumed; nor acknowledge the two houſes, more expreſsly for a free parliament.

THIS winter the famous Pym died; a man as much hated by one party as reſpected by the other. At London he was conſidered as the victim to national liberty, who had abridged his life by inceſſant labours for the intereſts of his country [i]: At Oxford he was believed to have been ſtruck with an uncommon diſeaſe, and to have been conſumed with vermin; as a mark of divine vengeance, for his multiplied crimes and treaſons. He had been ſo little ſtudious of improving his private fortune in thoſe civil wars, of which he had been one principal author, that the parliament thought themſelves obliged, from gratitude, to pay the debts which he had contracted [k]. We now return to the military operations, which during the winter, were carried on with vigour in ſeveral places, notwithſtanding the ſeverity of the ſeaſon.

THE forces brought from Ireland were landed at Moſtyne in North-Wales, and being put under the command of lord Biron, they beſieged and took the caſtles of Hawarden, Beeſton, Acton, and Deddington-houſe [l]. No place in Cheſhire or the neighbourhood now adhered to the parliament, except Nantwich: And to this town Biron laid ſiege during the depth of winter. Sir Thomas Fairfax, alarmed at ſo conſiderable a progreſs of the royaliſts, aſſembled an army of 4000 men in Yorkſhire, and having joined Sir William Brereton, was approaching to the camp of the enemy. Biron and his ſoldiers, elated with ſucceſſes obtained in Ireland, had entertained the moſt profound contempt for the parliamentary forces; a diſpoſition, which, if confined to the army, may be regarded as a good preſage of victory; but if it extend to the general, is the moſt probable forerunner of a defeat. Fairfax ſuddenly attacked the camp of the royaliſts. The ſwelling of the river by a thaw divided one part of the army from the other. That part, expoſed to Fairfax, being beaten from their poſt, retired into the church of Acton, and were all taken priſoners: The other retreated with precipitation [m]. And thus was diſſipated, or rendered uſeleſs, that body of forces which had been drawn from Ireland; and the parliamentary party revived in thoſe north weſt counties of England.

1644 25th Jan.

[h] Clarendon, vol. iii. p. 449. Whitlocke, p. 79. [i] Ibid p. 66. [k] Journ. 13th of February, 1643. [l] Ruſh. vol. vi. p. 55. [m] Ibid. p. 301.

THE invaſion from Scotland was attended with conſequences of much greater importance. The Scots, having ſummoned in vain the town of Newcaſtle, which was fortified by the vigilance of Sir Thomas Glenham, paſſed the Tyne; and faced the marqueſs of Newcaſtle, who lay at Durham with an army of 14,000 men [n]. After ſome military operations, in which that nobleman reduced the enemy to difficulties for forage and proviſions, he received intelligence of a great diſaſter which had befallen his forces in Yorkſhire. Colonel Bellaſis, whom he had left with a conſiderable body of troops was totally routed at Selby, by Sir Thomas Fairfax, who had returned from Cheſhire with his victorious forces [o]. Afraid of being incloſed between two armies, Newcaſtle retreated; and Leven having joined Lord Fairfax, they ſat down before York, to which the army of the royaliſts had retired. But as the parliamentary and Scottiſh forces were not numerous enough to inveſt ſo large a town, divided by a river, they contented themſelves with incommoding it by a looſe blockade; and affairs remained, for ſome time, in ſuſpenſe between theſe oppoſite armies [p].

Invaſion from Scotland

11th April.

DURING this winter and ſpring, other parts of the kingdom had alſo been infeſted with war. Hopton, having aſſembled an army of 14,000 men, endeavoured to break into Suſſex, Kent, and the ſouthern aſſociation, which ſeemed well diſpoſed to receive him. Waller fell upon him at Cherington, and gave him a defeat [q] of conſiderable importance. In another quarter, ſiege being laid to Newark by the parliamentary forces, prince Rupert prepared himſelf for relieving a town of ſuch conſequence, which alone preſerved the communication open between the king's ſouthern and northern quarters [r]. With a ſmall force, but that animated by his active courage, he broke through the enemy, relieved the town, and totally diſſipated that army of the parliament [s].

BUT though fortune ſeemed to have divided her favours between the parties, the king found himſelf, in the main, a conſiderable loſer by this winter-campaign; and he prognoſticated a ſtill worſe event from the enſuing ſummer. The preparations of the parliament were great, and much exceeded the ſlender reſources of which he was poſſeſſed. In the eaſtern aſſociation, they levied fourteen thouſand men, under the earl of Mancheſter, ſeconded by Cromwel [t]. An army of ten thouſand men, under Eſſex; another of nearly the ſame force under Waller, were aſſembled in the neighbourhood of London. The former was deſtined to oppoſe the king: The latter was appointed to march into the weſt, where prince Maurice, with a ſmall army which went continually to decay, was ſpending his time in vain before Lyme, an inconſiderable town upon the ſea coaſt

[n] Ruſh. vol. vi. p. 615. [o] Idem, ibid. p. 618. [p] Idem, ibid. p. 620.
[q] 29th of March. [r] Ruſh. vol. vi. p. 306. [s] 21ſt of March. [t] Ruſh. vol. vi. p. 621.

utmoſt efforts of the king could not raiſe above ten thouſand men at Oxford; and on their ſword chiefly, during the campaign, were theſe to depend for ſubſiſtence.

THE queen, terrified with the dangers which every way environed her, and afraid of being encloſed in Oxford, in the middle of the kingdom, fled to Exeter, where ſhe hoped to be delivered unmoleſted of the child, with which ſhe was now pregnant, and whence ſhe had the means of an eaſy eſcape into France, if preſſed by the forces of the enemy. She knew the implacable hatred which the parliament, on account of her religion and her credit with the king, had all alone borne her. Laſt ſummer, the commons had ſent up to the peers an impeachment of high treaſon againſt her; becauſe, in his utmoſt diſtreſſes, ſhe had aſſiſted her huſband with arms and ammunition, which ſhe had bought in Holland [u]. And had ſhe fallen into their hands, neither her ſex, ſhe knew, nor high ſtation, could protect her againſt inſults at leaſt, if not danger, from thoſe haughty republicans, who ſo little affected to conduct themſelves by the maxims of gallantry and politeneſs.

FROM the beginning of theſe diſſenſions, the parliament, it is remarkable, had, in all things aſſumed an extreme aſcendant over their ſovereign, and had diſplayed a violence, and arrogated an authority, which, on his ſide, would not have been compatible, either with his temper or his ſituation. While he ſpoke perpetually of pardoning all *rebels*; they talked of nothing but the puniſhment of *delinquents* and *malignants*: While he offered a toleration and indulgence to tender conſciences; they threatened the utter extirpation of prelacy: To his profeſſions of lenity, they oppoſed declarations of rigour: And the more the ancient tenor of the laws inculcated a reſpectful ſubordination to the crown, the more careful were they, by their lofty pretenſions, to cover that defect under which they laboured.

THEIR great advantages in the north ſeemed to ſecond their ambition, and finally to promiſe them ſucceſs in their unwarrantable enterprizes. Mancheſter, having taken Lincoln, had united his army to that of Leven and Fairfax; and York was now cloſely beſieged by their combined forces. That town, though vigorouſly defended by Newcaſtle, was reduced to extremity; and the parliamentary generals, after enduring great loſſes and fatigues, flattered themſelves that all their labours would at laſt be crowned by this important conqueſt. On a ſudden, they were alarmed by the approach of prince Rupert. This gallant commander, having vigorouſly exerted himſelf in Lancaſhire and Cheſhire, had collected a conſiderable army; and, joining Sir Charles Lucas, who commanded Newcaſtle's

[u] Ruſh. vol. vi. p. 321.

horſe, haſtened to the relief of York, with an army of 20,000 men. The Scottiſh and parliamentary generals raiſed the ſiege, and, drawing up on Marſton-moor, purpoſed to give battle to the royaliſts. Prince Rupert approached the town by another quarter, and interpoſing the river Ouſe between him and the enemy, ſafely joined his forces to thoſe of Newcaſtle. The marquis endeavoured to perſuade him, that, having ſo ſucceſsfully effected his purpoſe, he ought to be content with the preſent advantages, and leave the enemy, now much diminiſhed by their loſſes, and diſcouraged by their ill ſucceſs, to diſſolve by thoſe mutual diſſenſions which had begun to take place among them [w]. The prince, whoſe martial diſpoſition was not ſufficiently tempered with prudence, nor ſoftened by complaiſance, pretending poſitive orders from the king, without deigning to conſult with Newcaſtle, whoſe merits and ſervices deſerved better treatment, immediately iſſued orders for battle, and led out the army to Marſton-moor [x]. This action was obſtinately diſputed between the moſt numerous armies that were engaged during the courſe of theſe wars; nor were the forces on each ſide much different in number. Fifty thouſand Britiſh troops were led to mutual ſlaughter; and the victory ſeemed long undecided between them. Prince Rupert who commanded the right wing of the royaliſts, was oppoſed to Cromwel [y], who conducted the choice troops of the parliament, enured to danger under that determined leader, animated by zeal, and confirmed by the moſt rigid diſcipline. After a ſharp combat, the cavalry of the royaliſts gave way; and ſuch of the infantry as ſtood next them were likewiſe borne down, and put to flight. Newcaſtle's regiment alone, reſolute to conquer or to periſh, obſtinately kept their ground, and maintained by their dead bodies, the ſame order in which they had at firſt been ranged. In the other wing, Sir Thomas Fairfax and Colonel Lambert, with ſome troops, broke through the royaliſts; and, tranſported by the ardour of purſuit, ſoon reached their victorious friends, engaged alſo in purſuit of the enemy. But after that tempeſt was paſt, Lucas, who commanded the royaliſts in this wing, reſtoring order to his broken forces, made a furious attack on the parliamentary cavalry, threw them into diſorder, puſhed them upon their own infantry, and put that whole wing to route. When ready to ſeize on their carriages and baggage, he perceived Cromwel, who was now returned from purſuit of the other wing. Both ſides were not a little ſurpriſed to find that they muſt again renew the combat for that victory which each of them thought they had already obtained. The front of the battle was now exactly counterchanged; and each army occupied the ground which had been poſſeſſed by the e-

1644. 2d July. Battle of Marſton-moor.

[w] Life of the D. of Newcaſtle p. 40.
[x] Clarendon, vol. vi. p. 506.
[y] Ruſh. part. 3. vol. ii. p. 633.

nemy at the beginning of the day. This ſecond battle was equally furious and deſperate with the firſt: But after the utmoſt efforts of courage by both parties, victory wholly turned to the ſide of the parliament. The prince's train of artillery was taken; and his whole army puſhed off the field of battle [z].

THIS event was in itſelf a mighty blow to the king; but proved more fatal in its conſequences. The marqueſs of Newcaſtle was entirely loſt to the royal cauſe. That nobleman, the ornament of the court and of his order, had been engaged, contrary to the natural bent of his diſpoſition, into theſe military operations, merely by a high ſenſe of honour, and a perſonal regard to his maſter. The dangers of war were diſregarded by his valour; but its fatigues were oppreſſive to his natural indolence. Munificent and generous in his expence; polite and elegant in his taſte; courteous and humane in his behaviour; he brought a great acceſſion of friends and of credit to the party which he embraced. But amidſt all the hurry of action, his inclinations were ſecretly drawn to the ſoft arts of peace, in which he took delight; and the charms of poetry, muſic, and converſation, often ſtole him from his rougher occupations. He choſe Sir William Davenant, an ingenious poet, for his lieutenant-general: The other perſons, in whom he placed confidence, were more the inſtruments of his refined pleaſures, than qualified for the buſineſs which they undertook: And the ſeverity and application, requiſite to the ſupport of diſcipline, were qualities in which he was entirely wanting [a].

WHEN prince Rupert, contrary to his advice, reſolved on this battle, and iſſued all orders, without communicating his intentions to him; he took the field, but, he ſaid, merely as a volunteer; and, except by his perſonal courage, which ſhone out with luſtre, he had no ſhare in the action. Enraged to find that all his ſucceſsful labours were rendered abortive by one act of fatal temerity, terrified with the proſpect of renewing his pains and fatigue, he reſolved no longer to maintain the few reſources which remained to a deſperate cauſe, and thought, that the ſame regard to honour, which had at firſt called him to arms, now required him to abandon a party, where he met with ſuch unworthy treatment. Next morning early, he ſent word to the prince that he was inſtantly to leave the kingdom; and, without delay, he went to Scarborough, where he found a veſſel, which carried him beyond ſea. During the enſuing years, till the reſtoration, he lived abroad in great neceſſity, and ſaw, with indifference, his opulent fortune ſequeſtered by thoſe who aſſumed the government of England. He diſdained, by ſubmiſſion or compoſition, to ſhow obeiſance to their uſurped authority; and the leaſt favourable cenſors of his merit al-

[z] Ruſh. vol. vi. p. 632. Whitlocke, p 89. See Warwic.

[a] Clarendon, v. p. 507, 508.

lowed, tha tthe fidelity and ſervices of a whole life had ſufficiently atoned for one raſh action into which his paſſion had betrayed him [b].

PRINCE Rupert, with equal precipitation, drew off the remains of his army, and retired into Lancaſhire. Glenham, in a few days, was obliged to ſurrender York; and he marched out his garriſon with all the honours of war [c]. Lord Fairfax, remaining in the city, eſtabliſhed his government in that whole county, and ſent a thouſand horſe into Lancaſhire, to join with the parliamentary forces in that quarter, and attend the motions of prince Rupert: The Scottiſh army marched northwards, in order to join the earl of Calender, who was advancing with ten thouſand additional forces [d]; and to reduce the town of Newcaſtle, which they took by ſtorm: The earl of Mancheſter, with Cromwel, to whom the fame of this great victory was chiefly aſcribed, and who was wounded in the action, returned to the eaſtern aſſociation, in order to recruit his army [e]. 1644. 16th July.

WHILE theſe events paſſed in the north, the king's affairs in the ſouth were conducted with more ſucceſs and greater abilities. Ruthven, a Scotchman, who had been created earl of Brentford, acted under the king, as general.

THE parliament ſoon completed their two armies commanded by Eſſex and Waller. The great zeal of the city facilitated this undertaking. Many ſpeeches were made to the citizens, by the parliamentary leaders, in order to excite their ardour. Hollis, in particular, exhorted them not to ſpare, on this important occaſion, either their purſes, their perſons, or their prayers [f]: and, in general, it muſt be confeſſed, they were ſufficiently liberal in all theſe contributions. The two generals had orders to march with their combined armies towards Oxford; and, if the king retired into that city, to lay ſiege to it, and by one enterprize put a period to the war. The king, leaving a numerous garriſon at Oxford, paſſed with dexterity between the two armies, which had taken Abingdon, and had encloſed him on both ſides [g]. He marched towards Worceſter; and Waller received orders from Eſſex to follow him and watch his motions; while he himſelf marched into the weſt, in queſt of prince Maurice. Waller had approached within two miles of the royal camp, and was only ſeparated from it by the Severn, when he received intelligence that the king was advanced to Beudly, and had directed his courſe to Shrewſbury. In order to prevent him, Waller preſently diſlodged, and haſtened by quick marches to that town; while the king, ſuddenly returning upon his own

[b] Clarendon, vol. v. p. 511. [c] Ruſh. vol. vi. p. 638. [d] Whitlocke, p. 88. [e] Ruſh. vol. vi. p. 641. [f] Ibid. vol. vi. p. 662.
[g] 3d of June.

footſteps, reached Oxford; and having reinforced his army from that garriſon now in his turn marched out in queſt of Waller. The two armies faced each other at Cropredy-bridge near Banbury; but the Charwell ran between them. Next day, the king decamped and marched towards Daventry. Waller ordered a conſiderable detachment to paſs the bridge, with an intention of falling on the rear of the royaliſts. He was repulſed, routed, and purſued with conſiderable loſs [h]. Stunned and diſheartened with this blow, his army decayed and melted away by deſertion; and the king thought he might ſafely leave it, and march weſtward againſt Eſſex. That general, having obliged prince Maurice to raiſe the ſiege of Lyme, having taken Weymouth and Taunton, advanced ſtill in his conqueſts, and met with no equal oppoſition. The king followed him, and having reinforced his army from all quarters, appeared in the field with an army ſuperior to the enemy. Eſſex retreating into Cornwall, informed the parliament of his danger, and deſired them to ſend an army, which might fall on the kings rear. General Middleton received a commiſſion to execute that ſervice; but came too late. Eſſex's army cooped up in a narrow corner at Leſtithiel, deprived of all forage and proviſions, and ſeeing no proſpect of ſuccour, was reduced to the laſt extremity. The king preſſed them on one ſide; prince Maurice on another; Sir Richard Granville on a third. Eſſex, Robarts, and ſome of the principal officers, eſcaped in a boat to Plymouth; Balfour with his horſe paſſed the king's out-poſts, in a thick miſt, and got ſafely to the garriſons of his own party. The foot under Skippon were obliged to furrender their arms, artillery, baggage and ammunition; and being conducted to the parliament's quarters, were diſmiſſed. By this advantage, which was much boaſted of, the king, beſides the honour of the enterprize, obtained what he ſtood extremely in need of: The parliament, having preſerved the men, loſt what they could eaſily repair [i].

1644. Battle of Cropredy-bridge. 29th June.

1ſt Sept.

Eſſex's forces diſarmed.

No ſooner did this intelligence reach London, than the committee of the two kingdoms voted thanks to Eſſex for his fidelity, courage, and conduct; and this method of proceeding, no leſs politic than magnanimous, was preſerved by the parliament throughout the whole courſe of the war. Equally indulgent to their friends and rigorous to their enemies, they employed, with ſucceſs, theſe two powerful engines of reward and puniſhment, in the confirmation of their authority.

[h] Ruſh. vol. vi. p. 676. Clarendon, vol. v. p. 497. Sir Ed. Walker, p. 51. [i] Ruſh. vol. vi. p. 699, &c. Whitlocke, p. 98. Clarendon, vol. v. p. 524, 525. Sir Edw. Walker, p. 69. 70. &c.

THAT the king might have leſs reaſon to exult in the advantages which he had obtained in the weſt, the parliament oppoſed to him very numerous forces. Having armed anew Eſſex's ſubdued, but not diſheartened troops they ordered Mancheſter and Cromwel to march with their recruited forces from the eaſtern aſſociation; and joining their armies to thoſe of Waller and Middleton, as well as of Eſſex, offered battle to the king. Charles choſe his poſt at Newbury, where the parliamentary armies, under the Earl of Mancheſter, attacked him with great vigour; and that town was a ſecond time the ſcene of the bloody animoſities of the Engliſh. Eſſex's ſoldiers, exhorting one another to repair their broken honour, and revenge the diſgrace of Leſtithiel, made an impetuous aſſault on the royaliſts: and having recovered ſome of their cannon loſt in Cornwall, could not forbear embracing them with tears of joy. Though the king's troops defended themſelves with valour, they were overpowered by numbers; and the night came very ſeaſonably to their relief, and prevented a total overthrow. Charles leaving his baggage and cannon in Dennington-caſtle, near Newbury, forthwith retreated to Wallingford, and thence to Oxford. There, prince Rupert and the earl of Northampton joined him, with conſiderable bodies of cavalry. Strengthened by this reinforcement, he ventured to advance towards the enemy, now employed before Dennington Caſtle [k]. Eſſex, detained by ſickneſs, had not joined the army, ſince his misfortune in Cornwall. Mancheſter who commanded, though his forces were much ſuperior to thoſe of the king, declined an engagement, and rejected Cromwel's advice, who earneſtly preſſed him not to neglect ſo favourable an opportunity of finiſhing the war. The king's army, by bringing off their cannon from Dennington caſtle, in the face of the enemy, ſeemed to have ſufficiently repaired the honour which they had loſt at Newbury; and Charles, having the ſatisfaction to excite, between Mancheſter and Cromwel, equal animoſities with thoſe which formerly took place between Eſſex and Waller [l], diſtributed his army into winter-quarters.

1644. Second battle of Newbury. 27th oct. 9th Nov.

THOSE conteſts among the parliamentary generals, which had diſturbed their military operations, were renewed in London during the winter ſeaſon; and each being ſupported by his own faction, their mutual reproaches and accuſations agitated the whole city and parliament. There had long prevailed, in that party, a ſecret diſtinction, which, though the dread of the king's power had hitherto ſuppreſſed it, yet, in proportion as the hopes of ſucceſs became nearer and more immediate, began to diſcover itſelf, with high conteſt and animoſity. The INDEPENDENTS, who had, at firſt, taken ſhelter and concealed them- 23d Nov.

[k] Ruſh. vol. vi. p. 721, &c. [l] Ibid. vol. vii. p. 1.

ſelves under the wings of the PRESBYTERIANS, now evidently appeared a diſtinct party, and betrayed very different views and pretenſions. We muſt here endeavour to explain the genius of this party, and of its leaders, who henceforth occupy the ſcene of action.

1644. Riſe and character of the Independents.

DURING thoſe times, when the enthuſiaſtic ſpirit met with ſuch honour and encouragement, and was the immediate means of diſtinction and preferment; it was impoſſible to ſet bounds to theſe holy fervours, or confine, within any natural limits, what was directed towards an infinite and a ſupernatural object. Every man, as prompted by the warmth of his temper, excited by emulation, or ſupported by his habits of hypocriſy, endeavoured to diſtinguiſh himſelf beyond his fellows, and to arrive at a higher pitch of ſaintſhip and perfection. In proportion to its degree of fanaticiſm, each ſect became dangerous and deſtructive and as the independents went a note higher than the preſbyterians, they could leſs be reſtrained within any bounds of temper and moderation. From this diſtinction, as from a firſt principle, were derived by a neceſſary conſequence, all the other differences of theſe two ſects.

THE independents rejected all eccleſiaſtical eſtabliſhments, and would admit, of no ſpiritual courts, no government among paſtors, no interpoſition of the magiſtrate in religious concerns, no fixed encouragement annexed to any ſyſtem of doctrines or opinions. According to their principles, each congregation, united voluntarily and by ſpiritual ties, compoſed, within itſelf, a ſeparate church, and exerciſed a juriſdiction, but one deſtitute of temporal ſanctions, over its own paſtor an its ownmembers. The election alone of the congregation was ſufficient to beſtow the ſacerdotal character; and as all eſſential diſtinction was denied between the laity and the clergy, no ceremony, no inſtallation, no vocation, no impoſition of hands, was, as in all other churches, ſuppoſed requiſite to convey a right to holy orders. The enthuſiaſm of the preſbyterians led them to reject the authority of prelates, to throw off the reſtraint of liturgies, to retrench ceremonies, to limit the riches and authority of the prieſtly office: The fanaticiſm of the independents, exalted to a higher pitch, aboliſhed eccleſiaſtical government, diſdained creeds and ſyſtems, neglected every ceremony, and confounded all ranks and orders. The ſoldier, the merchant, the mechanic, indulging the fervors of zeal, and guided by the illapſes of the ſpirit, reſigned himſelf to an inward and ſuperior direction, and was conſecrated, in a manner, by an immediate intercourſe and communication with heaven.

THE catholics, pretending to an infallible guide, had juſtified, upon that principle, their doctrine and practice of perſecution: The preſbyterians, imagining that ſuch clear and certain tenets, as they themſelves a-

dopted, could be rejected only from a criminal and pertinacious obſtinacy, had hitherto gratified, to the full, their bigoted zeal, in a like doctrine and practice: The independents, from the extremity of the ſame zeal, were led into the milder principles of toleration. Their mind, ſet afloat in the wide ſea of inſpiration, could confine itſelf within no certain limits; and the ſame variations, in which an enthuſiaſt indulged himſelf, he was apt, by a natural train of thinking, to permit in others. Of all chriſtian ſects this was the firſt, which, during its proſperity, as well as its adverſity, always adopted the principle of toleration; and, it is remarkable, that ſo reaſonable a doctrine owed its origin, not to reaſoning, but to the height of extravagance and fanaticiſm.

POPERY and prelacy alone, whoſe genius ſeemed to tend towards ſuperſtition, were treated by the independents with rigour. The doctrines too of fate or deſtiny, were deemed by them eſſential to all religion. In theſe rigid opinions, the whole ſectaries, amidſt all their other differences, unanimouſly concurred.

THE political ſyſtem of the independents kept pace with their religious. Not content with confining, to very narrow limits, the power of the crown, and reducing the king to the rank of firſt magiſtrate, which was the project of the preſbyterians; this ſect, more ardent in the purſuit of liberty, aſpired to a total abolition of the monarchy, and even of the ariſtocracy; and projected an entire equality of rank and order, in a republic, quite free and independent. In conſequence of this ſcheme, they were declared enemies to all propoſals for peace, except on ſuch terms as, they knew, it was impoſſible to obtain; and they adhered to that maxim, which is, in the main, prudent and political, that whoever draws the ſword againſt his ſovereign, ſhould throw away the ſcabbard. By terrifying others with the fear of vengeance from the offended prince, they had engaged greater numbers into the oppoſition againſt peace, than had adopted their other principles with regard to government and religion. And the great ſucceſs, which had already attended the arms of the parliament, and the greater, which was ſoon expected, confirmed them ſtill further in this obſtinacy.

SIR Harry Vane, Oliver Cromwel, Nathaniel Fiennes, and Oliver St. John, the ſolicitor-general, were regarded as the leaders of the independents. The earl of Eſſex, diſguſted with war, of which he began to foreſee the pernicious conſequences, adhered to the preſbyterians, and promoted every reaſonable plan of accommodation. The earl of Northumberland, fond of his rank and dignity, regarded with horror a ſcheme, which, if it took place, would confound himſelf and his family with the loweſt in the kingdom. The earls of Warwic, and Denbigh, Sir Philip Stapleton, Sir

William Waller, Hollis, Maſſey, Whitlocke, Mainard, Glyn, had embraced the ſame ſentiments. In the parliament, a conſiderable majority, and a much greater in the nation, were attached to the preſbyterian party; and it was only by cunning and deceit at firſt, and afterwards by military violence, that the independents could entertain any hopes of ſucceſs.

THE earl of Mancheſter, provoked at the impeachment, which the king had lodged againſt him, had long forwarded the war with alacrity; but, being a man of humanity and good principles, the view of public calamities, and the proſpect of a total ſubverſion of government, began to moderate his ardour, and inclined him to promote peace on any ſafe or honourable terms. He was even ſuſpected in the field, not to have puſhed to the utmoſt againſt the king, the advantages obtained by the arms of the parliament; And Cromwel, in the public debates, received the accuſation, that this nobleman had wilfully neglected at Dennington-caſtle a favourable opportunity of finiſhing the war by a total defeat of the royaliſts. "I ſhowed him evidently," ſaid Cromwel, "how this ſucceſs might be obtained; and only deſired leave, with my own brigade of horſe, to charge "the king's army in their retreat; leaving it in the earl's choice, if he "thought proper, to remain neuter with the reſt of his forces: But notwithſtanding my importunity, he poſitively refuſed his conſent; and "gave no other reaſon but that, if we met with a defeat, there was an end "of our pretenſions: We ſhould all be rebels and traitors, and be "executed and forfeited by law [m]?"

MANCHESTER, by way of recrimination, informed the parliament, that, at another time, Cromwel having propoſed ſome ſcheme, to which it ſeemed improbable the parliament would agree, he inſiſted and ſaid, *My lord, if you will ſtick firm to honeſt men, you ſhall find yourſelf at the head of an army, which ſhall give law both to king and parliament.* "This diſcourſe," continued Mancheſter, "made the greater impreſſion upon me, becauſe I knew "the lieutenant-general to be a man very of deep deſigns; and he has even "ventured to tell me, that it never would be well with England till I were "Mr. Montague, and there were ne'er a lord or peer in the kingdom [n]." So full was Cromwel of theſe republican projects, that, notwithſtanding his habits of profound diſſimulation, he could not ſo carefully guard his expreſſions, but that ſometimes his favourite notions would eſcape him.

THESE violent diſſentions brought matters to extremity, and puſhed the independents to the execution of their deſigns. The preſent generals, they thought were more deſirous of protracting than finiſhing the war; and having entertained a ſcheme for preſerving ſtill ſome balance in the conſtitution, they were afraid of entirely ſubduing the king, and reducing him to

[m] Clarendon, vol. v. p. 561. [n] Idem, ibid. p. 662.

a condition, where he ſhould not be intitled to aſk any conceſſions. A new model alone of the army could bring complete victory to the parliament, and free the nation from thoſe calamities, under which it laboured. But how to effect this project was the difficulty. The authority, as well as merits, of Eſſex was very great with the parliament. Not only he had ſerved them all along with the moſt exact and ſcrupulous honour: It was, in ſome meaſure, owing to his popularity, that they had ever been enabled to levy an army or make head againſt the royal cauſe. Manchester, Warwic, and the other commanders had likewiſe great credit with the public; nor were there any hopes of prevailing over them, but by laying the plan of an oblique and artificial attack, which would conceal the real purpoſe of their antagoniſts. The Scots and Scottiſh commiſſioners, jealous of the progreſs of the independents, were a new obſtacle; which without the utmoſt art and ſubtlety, it would be difficult to ſurmount [o]. The methods, by which this intrigue was conducted, are ſo ſingular, and ſhow ſo fully the genius of the age, that we ſhall give a detail of them, as they are delivered by lord Clarendon [p].

A FAST, on the laſt Wedneſday of every month, had been ordered by the parliament at the beginning of theſe commotions; and their preachers, on that day, were careful to keep alive, by their vehement declamations, the popular prejudices entertained againſt the king, againſt prelacy, and againſt popery. The king, that he might combat the parliament with their own weapons, appointed likewiſe a monthly faſt, when the people ſhould be inſtructed in the duties of loyalty and of ſubmiſſion to the higher powers; and he choſe the ſecond Friday of every month for the devotion of the royaliſts [q]. It was now propoſed and carried in parliament by the independents, that a new and more ſolemn faſt ſhould be voted; when they ſhould implore the divine aſſiſtance for extricating them from thoſe perplexities, in which they were at preſent involved. On that day, the preachers, after many political prayers, took care to treat of the reigning diviſions in the parliament, and aſcribed them entirely to the ſelfiſh ends, purſued by the members. In the hands of thoſe members, they ſaid, are lodged all the conſiderable commands of the army, all the lucrative offices in the civil adminiſtration: And while the nation is falling every day into poverty, and groans under an unſupportable load of taxes; theſe men multiply poſſeſſion on poſſeſſion, and will, in a little time, be maſters of all the wealth of the kingdom. That ſuch perſons, who fatten on the calamities of their country, will ever embrace any effectual meaſure for bringing them to a period, or enſuring final ſucceſs to the war, cannot reaſonably be expected. Lingering expedients alone will be pur-

[o] Clarendon, vol. v. p. 562. [p] Idem, Ibid. p. 565. [q] Ruſhworth, vol. vi. p. 364.

ſued: And operations in the field concurring, in the ſame pernicious end, with deliberations in the cabinet; civil commotions will, for ever, be perpetuated in the nation. After exaggerating theſe diſorders, the miniſters returned to their prayers; and beſought the Lord, that he would take his own work into his own hand, and if the inſtruments, whom he had hitherto employed, were not worthy to bring to a concluſion ſo glorious a deſign, that he would inſpire others more fit, who might perfect what was begun, and by eſtabliſhing true religion, put a ſpeedy period to the public miſeries.

ON the day ſubſequent to theſe devout animadverſions, when the parliament met, a new ſpirit appeared in the looks of many. Sir Henry Vane told the commons, that, if ever God appeared to them, it was in the ordinances of yeſterday: That, as he was credibly informed by many, who had been preſent in different congregations, the ſame lamentations and diſcourſes, which the godly preachers had made them before them, had been heard in other churches; That ſo remarkable a concurrence could proceed only from the immediate operation of the Holy Spirit: That he therefore intreated them, in vindication of their own honour, in conſideration of their duty to God and their country, to lay aſide all private ends, and renounce every office, attended with profit or advantage: That the abſence of ſo many members, occupied in different employments, had rendered the houſe extremely thin, and diminiſhed the authority of their determinations: And that he could not forbear, for his own part, accuſing himſelf as one who enjoyed a gainful office, that of treaſurer of the navy; and though he was poſſeſſed of it before the civil commotions, and owed it not to the favour of the parliament, yet was he ready to reſign it, and to ſacrifice, to the welfare of his country, every conſideration of private intereſt and advantage.

CROMWEL next acted his part, and commended the preachers for having dealt with them plainly and impartially, and told them of their errors, of which they were ſo unwilling to be informed. Though they dwelt on many things, he ſaid, on which he had never before reflected; yet, upon revolving them, he could not but confeſs, that, till there was a perfect reformation in theſe particulars, nothing which they undertook could poſſibly proſper. The parliament, no doubt, continued [illegible], had done wiſely on the commencement of the war, in engaging ſeveral of its members in the moſt dangerous parts of it; and thereby ſatisfying the nation, that they intended to ſhare all hazards with the meaneſt of the people. But affairs are now changed. During the progreſs of military operations, there have ariſen, in the parliamentary armies, many excellent officers, who are qualified for higher commands than they are now poſſeſſed of. And though it becomes not men, engaged in ſuch a cauſe, *to put truſt in the arm of fleſh*, yet he could aſſure them, that their troops contained generals, fit to command in any enter-

prize in Chriſtendom. The army, indeed, he was ſorry to ſay it, did not correſpond, by its diſcipline, to the merit of the officers; nor were there any hopes, till the preſent vices and diſorders, which prevail among the ſoldiers, were repreſſed by a new model, that their forces would ever be attended with ſignal ſucceſs in any undertaking.

IN oppoſition to this reaſoning of the independents, many of the preſbyterians ſhowed the inconvenience and danger of the projected alteration. Whitlocke, in particular, a man of honour, who loved his country, though, in every change of government, he always adhered to the ruling power, ſaid, that beſides the ingratitude of diſcarding, and that by fraud and artifice, ſo many noble perſons, to whom the parliament had hitherto owed its chief ſupport; they would find it extremely difficult to ſupply the place of men, now formed by experience to command and authority: That the rank alone poſſeſſed by ſuch as were members of either houſe, prevented envy, retained the army in obedience, and gave weight to military orders; That greater confidence might ſafely be repoſed in men of family and fortune, than in mere adventurers, who would be apt to entertain ſeparate views from thoſe which were embraced by the perſons who employed them: That no maxim of policy was more undiſputed, than the neceſſity of preſerving an inſeparable connexion between the civil and military powers, and of retaining the latter in ſtrict ſubordination to the former: That the Greeks and Romans, the wiſeſt and moſt paſſionate lovers of liberty, had ever entruſted to their ſenators the command of armies, and had maintained an unconquerable jealouſy of all mercenary forces; And that ſuch men alone, whoſe intereſts were involved in thoſe of the public, and who poſſeſſed a vote in the civil deliberations, would ſufficiently reſpect the authority of parliament, and never could be tempted to turn the ſword againſt thoſe, by whom it was committed to them [r].

1644. Self-denying ordinance.

NOTWITHSTANDING theſe reaſonings, a committee was choſen to frame what was called the *Self-denying ordinance*, by which the members of both houſes were excluded from all civil and military employments, except a few offices which were ſpecified. This ordinance was the ſubject of great debate, and, for a long time, rent the parliament and city into factions. But, at laſt, by the prevalence of envy with ſome; with others, of falſe modeſty; with a great many, of the republican and independent views; it paſſed the houſe of commons, and was ſent to the upper houſe. The peers, though the ſcheme was, in part, levelled againſt their order; though all of them were, at bottom, extremely averſe to it; though they even ventured once to reject it; yet poſſeſſed ſo little authority, that they durſt not perſevere in

[r] Whitlocke, p. 114, 115. Ruſh. vol. vii. p. 6.

opposing the resolution of the commons; and they thought it better policy, by an unlimited compliance, to ward off that ruin, which they saw approaching [s]. The ordinance, therefore, having passed both houses, Essex, Warwic, Manchester, Denbigh, Waller, Brereton, and many others, resigned their commands, and received the thanks of parliament for their good services. A pension of ten thousand pounds a year was settled on Essex.

1645. It was agreed to recruit the army to 22,000 men; and Sir Thomas Fairfax was appointed general [t]. It is remarkable, that his commission did not run, like that of Essex, in the name of the king and parliament, but in that of the parliament alone: And the article concerning the safety of the king's person was omitted. So much had animosities encreased between the parties [u]. Cromwel, being a member of the lower house, should have been discarded with the others; but this impartiality would have disappointed all the views of those who had introduced the self-denying ordinance. He was saved by a subtility, and by that political craft, in which he was so eminent. At the time when the other officers resigned their commissions, care was taken that he should be sent with a body of horse, to relieve Taunton, besieged by the royalists. His absence being remarked, orders were dispatched for his immediate attendance in parliament; and the new general was directed to employ some other officer in that service. A ready compliance was feigned; and the very day was named, on which, it was averred, he would take his place in the house. But Fairfax, having appointed a rendezvous of the army, wrote to the parliament, and desired leave to retain, for some days, lieutenant-general Cromwel, whose advice, he said would be useful, in supplying the place of those officers, who had resigned. Shortly after, he begged, with much earnestness, that they would allow Cromwel to serve that campaign [w]. And thus the independents, though the minority, prevailed by art and cunning over the presbyterians and bestowed the whole military authority, in appearance, upon Fairfax; in reality, upon Cromwel.

Fairfax. FAIRFAX was a person equally eminent for courage and for humanity; and though strongly infected with prejudices or principles, derived from religious and party zeal, he seems never, in the course of his public conduct, to have been diverted, by private interest or ambition, from adhering strictly to these principles. Sincere in his professions; disinterested in his views; open in his conduct; he had formed one of the most shining characters of the age; had not the extreme narrowness of his genius, in every thing but in war, and his embarrassed and confused elocution on every occasion but when he gave orders, diminished

[s] Rush. vol. vii. p. 8. 15.
[t] Whitlocke, p. 218. Rush. vol. vii. p. 7.
[u] Whitlocke, p. 153.
[w] Clarendon, vol. v p. 629, 630. Whitlocke, p. 141.

the luſtre of his merit, and rendered the part which he acted, even when veſted with the ſupreme command, but ſecondary and ſubordinate.

Cromwel.

CROMWEL, by whoſe ſagacity and inſinuation Fairfax was entirely governed, is one of the moſt eminent and moſt ſingular perſonages that occurs in hiſtory: The ſtrokes of his character are as open and ſtrongly marked, as the ſchemes of his conduct were, during the time, dark and impenetrable. His extenſive capacity enabled him to form the moſt enlarged projects: His enterprizing genius was not diſmayed with the boldeſt and moſt dangerous. Carried, by his natural temper, to magnanimity, to grandeur, and to an imperious and domineering policy; he yet knew, when neceſſary, to employ the moſt profound diſſimulation, the moſt oblique and refined artifice, the ſemblance of the greateſt moderation and ſimplicity. A friend to juſtice, though his public conduct was one continued violation of it; devoted to religion, though he perpetually employed it as the inſtrument of his ambition; he was engaged in crimes from the proſpect of ſovereign power, a temptation which is, in general, irreſiſtible to human nature. And by uſing well that authority, which he had attained by fraud and violence, he has leſſened, if not overpowered, our deteſtation of his enormities by our admiration of his ſucceſs and of his genius.

1645. Treaty of Uxbridge.

DURING this important tranſaction of the ſelf-denyig ordinance the negociations for peace were likewiſe carried on, though with ſmall hopes of ſucceſs. The king having ſent two meſſages, one from Eveſham [x], another from Taviſtoke [y], deſiring a treaty, the parliament diſpatched commiſſioners to Oxford, with propoſals, as high as if they had obtained a compleat victory [z]. The advantages gained during the campaign, and the great diſtreſſes of the royaliſts, had much elevated their hopes; and they were reſolved to repoſe no truſt in men, enflamed with the higheſt animoſity againſt them, and who, were they poſſeſſed of power, were fully authorized by law, to puniſh all their opponents as rebels and traitors.

THE king, when he conſidered the propoſals, and the diſpoſition of the parliament, could not expect any accommodation, and had no proſpect but of war, or of total ſubmiſſion and ſubjection: Yet, in order to ſatisfy his own party, who were impatient for peace, he agreed to ſend the duke of Richmond and earl of Southampton, with an anſwer to the propoſals of the parliament, and at the ſame time to deſire a treaty upon their mutual demands and pretenſions [a]. It now became neceſſary for him to retract his former declaration, that the two houſes at Weſtminſter were not a free parliament; and accordingly he was induced, though with great reluctance

[x] 4th of July, 1644. [y] 8th of Sept. 1644. [z] Dugdale, p. 737. Ruſh. vol. vi. p. 850. [a] Whitlocke, p. 110.

to give them, in his anſwer, the appellation of the parliament of England[b]. But it appeared afterwards, by a letter which he wrote to the queen, and of which a copy was taken at Naſeby, that he ſecretly entered an explanatory proteſt in his council-book; and he pretended, that, though he had *called* them the parliament, he had not thereby *acknowledged* them for ſuch[c]. This ſubtlety, which has been frequently objected to Charles, is the moſt noted of thoſe very few inſtances, from which the enemies of this prince have endeavoured to load him with the imputation of inſincerity: and have inferred, that the parliament could repoſe no confidence in his profeſſions and declarations, not even in his laws and ſtatutes. There is, however, it muſt be confeſſed, a difference univerſally avowed between ſimply giving to men the appellation which they aſſume, and the formal acknowledgment of their title to it; nor is any thing more common and familiar in all public tranſactions.

THE time and place of treaty being ſettled, ſixteen commiſſioners from the king met at Uxbridge, with twelve authorized by the parliament, attended by the Scottiſh commiſſioners. It was agreed, that the Scottiſh and parliamentary commiſſioners ſhould give in their demands with regard to three important articles, *religion*, the *militia*, and *Ireland*; and that theſe ſhould be ſucceſſively diſcuſſed in conference with the king's commiſſioners[d]. It was ſoon found impracticable to come to any agreement with regard to any of theſe articles.

1645. 30th Jan.

IN the ſummer 1643, while negociations were carried on with Scotland, the parliament had ſummoned an aſſembly at Weſtminſter, conſiſting of 121 divines and 30 laymen, celebrated in their party for piety and learning. By their advice, alterations were made in the thirty-nine articles, or in the metaphyſical doctrines of the church; and, what was of greater importance, the liturgy was entirely aboliſhed, and, in its ſtead, a new directory for worſhip was eſtabliſhed; by which, ſuitably to the ſpirit of the puritans the utmoſt liberty, both in praying and preaching, was indulged to the public teachers. By the ſolemn league and covenant, epiſcopacy was abjured, as deſtructive of all true piety; and a national engagement, attended with every circumſtance that could render a promiſe

[b] Whitlocke, p. 111. Dugdale, p. 748.

[c] His words are "As for my calling thoſe at London a parliament, I ſhall refer thee "to Digby for particular ſatisfaction; this in general. If there had been but two beſides myſelf, of my opinion, I had not done it; and the argument, that prevailed with "me was, that the calling did no ways acknowledge them to be a parliament; upon "which condition and conſtruction I did it, and no otherwiſe; and accordingly it is "regiſtered in the council books, with the council's unanimous approbation." *The king's cabinet opened.* Ruſh. vol. iv. p. 943.

[d] Whitlocke, p. 121. Dugdale, p. 758.

ſacred and obligatory, was entered into with the Scots, never to ſuffer its readmiſſion. All theſe meaſures ſhowed little ſpirit of accommodation in the parliament; and the king's commiſſioners were not ſurprized to find the eſtabliſhment of preſbytery and the directory poſitively demanded, together with the ſubſcription of the covenant, both by the king and kingdom [c].

HAD Charles been of a diſpoſition to neglect all theological controverſy, he yet had been obliged, in good policy, to adhere to epiſcopal juriſdiction, not only becauſe it was favourable to monarchy, but becauſe all his adherents were paſſionately devoted to it; and to abandon them, in what they regarded as ſo important an article, was for ever to relinquiſh their friendſhip and aſſiſtance. But Charles had never attained ſuch enlarged principles. He deemed biſhops eſſential to the very being of a chriſtian church; and he thought himſelf bound, by more ſacred ties than thoſe of policy, or even of honour, to the ſupport of that order. His conceſſions, therefore, on this head, he judged ſufficient, when he agreed

[c] Such love of contradiction prevailed in the parliament, that they had converted Chriſtmas, which, with the churchmen, was a great feſtival, into a ſolemn faſt and humiliation; "In order," as they ſaid, "that it might call to remembrance our "ſins and the ſins of our forefathers, who, pretending to celebrate the memory of "Chriſt, have turned this feaſt into an extreme forgetfulneſs of him, by giving "liberty to carnal and ſenſual delights." Ruſh. vol. vi. p. 817. It is remarkable, that, as the parliament aboliſhed all holy days, and ſeverely prohibited all amuſement on the ſabbath; and even burned, by the hands of the hangman, the king's book of ſports; the nation found, that there was no time left for relaxation or diverſion. Upon application, therefore, of the ſervants and apprentices, the parliament appointed the ſecond Tueſday of every month for play and recreation. *Ruſh.* vol. vii. p. 460. *Whitlocke*, p. 247. But theſe inſtitutions they found great difficulty to execute; and the people were reſolved to be merry when they themſelves pleaſed, not when the parliament ſhould preſcribe it to them. The keeping of Chriſtmas holy-days was long a great mark of malignancy, and very ſeverely cenſured by the commons. *Whitlocke*, p. 286. Even minced pies, which cuſtom had made a Chriſtmas diſh among the churchmen, was regarded, during that ſeaſon, as a profane and ſuperſtitious viand by the ſectaries; though at other times it agreed very well with their ſtomachs. In the parliamentary ordinance, too, for the obſervance of the ſabbath, they inſerted a clauſe for the taking down of may-poles, which they called a heatheniſh vanity. Since we are upon this ſubject, it may not be amiſs to mention, that, beſide ſetting apart Sunday for the ordinances, as they called them, the godly had regular meetings on the Thurſdays for reſolving caſes of conſcience, and conferring about their progreſs in grace. What they were chiefly anxious about, was the fixing the preciſe moment of their converſion or new birth; and whoever could not aſcertain ſo difficult a point of calculation, could not pretend to any title to ſainthip. The profane ſcholars at Oxford, after the parliament became maſters of that town, gave to the houſe in which the zealots aſſembled the denomination of *Scruple ſhop*: The zealots, in their turn, inſulted the ſcholars and profeſſors; and, intruding into the place of lectures, declaimed againſt human learning, and challenged the moſt knowing of them to prove that their calling was from Chriſt. See Wood's Faſti Oxonienſis, p. 740.

that an indulgence ſhould be given to tender conſciences with regard to ceremonies; that the biſhops ſhould exerciſe no act of juriſdiction or ordination, without the conſent and counſel of ſuch preſbyters as ſhould be choſen by the clergy of each dioceſe; that they ſhould reſide conſtantly in their dioceſe, and be bound to preach every Sunday; that pluralities be aboliſhed; that abuſes in eccleſiaſtical courts be redreſſed; and that a hundred thouſand pounds be levied on the biſhops' eſtates and the chapter lands, for payment of debts contracted by parliament [f]. Theſe conceſſions, though conſiderable, gave no ſatisfaction to the parliamentary commiſſioners; and, without abating any thing of their rigour on this head, they proceeded to their demands with regard to the militia.

THE king's partizans had all along maintained, that the fears and jealouſies of the parliament, after the ſecurities ſo early and eaſily given to public liberty, were either feigned or groundleſs; and that no human inſtitution could be better poized and adjuſted, than was now the government England. By the abolition of the ſtar-chamber and court of high commiſſion, the prerogative, they ſaid, has loſt all that coercive gower by which it had formerly ſuppreſſed or endangered liberty: By the eſtabliſhment of triennial parliaments, it can have no leiſure to acquire new powers, or guard itſelf, during any time, from the inſpection of that vigilant aſſembly: By the ſlender revenue of the crown, no king can ever attain ſuch influence as to procure a repeal of theſe ſalutary ſtatutes: And while the prince commands no military force, he will in vain, by violence, attempt an infringement of laws, ſo clearly defined by means of late diſputes, and ſo paſſionately cheriſhed by all his ſubjects. In this ſituation, ſurely, the nation, governed by ſo virtuous a monarch, may, for the preſent, remain in tranquillity, and try whether it be not poſſible, by peaceful arts, to elude that danger with which, it is pretended, its liberties are ſtill threatened.

BUT though the royaliſts inſiſted on theſe plauſible topics before the commencement of war, they were obliged to own, that the progreſs of civil commotions had ſomewhat abated the force and evidence of this reaſoning. If the power of the militia, ſaid the oppoſite party, be entruſted to the king, it would not now be difficult for him to abuſe that authority. By the rage of inteſtine diſcord, his partizans are inflamed into an extreme hatred againſt their antagoniſts; and have contracted, no doubt, ſome prejudices againſt popular privileges, which in their apprehenſion, have been the ſource of ſo much diſorder. Were the arms of the ſtate, therefore, put entirely into ſuch hands, what public ſecurity, it may be demanded, can be given to liberty, or what private ſecurity to thoſe who, in oppoſition to the letter of the law, have ſo generouſly ventured their lives in its defence?

[f] Dugdale, p. 779, 780.

In compliance with this apprehenſion, Charles offered that the arms of the ſtate ſhould be entruſted, during three years, to twenty commiſſioners, who ſhould be named, either by common agreement between him and the parliament, or one half by him, the other by the parliament. And, after the expiration of that term, he inſiſted, that his conſtitutional authority over the militia ſhould again return to him [g].

THE parliamentary commiſſioners at firſt demanded, that the power of the ſword ſhould for ever be entruſted to ſuch perſons as the parliament alone ſhould appoint [h]: But, afterwards, they relaxed ſo far, as to require that authority only for ſeven years; after which it was not to return to the king, but to to be ſettled by bill, or by common agreement between him and his parliament [i]. The king's commiſſioners aſked, Whether jealouſies and fears were all on one ſide, and whether the prince, from ſuch violent attempts and pretenſions as he had experienced, had not, at leaſt, as great reaſon to entertain apprehenſions for his authority, as they for their liberty? Whether there were any equity in ſecuring only one party, and leaving the other, during the ſpace of ſeven years, entirely at the mercy of their enemies? Whether, if unlimited power were entruſted to the parliament during ſo long a period, it would not be eaſy for them to frame the ſubſequent bill in the manner moſt agreeable to themſelves, and keep for ever poſſeſſion of the ſword, as well as of every article of civil power and juriſdiction [k]?

THE truth is, after the commencement of war, it was very difficult, if not impoſſible, to find ſecurity for both parties, eſpecially for that of the parliament. Amidſt ſuch violent animoſities power alone could inſure ſafety; and the power of one ſide was neceſſarily ttended with danger to the other. Few or no inſtances occur in hiſtory of an equal, peaceful, and durable accommodation, that has been concluded between two factions which had been inflamed into a civil war.

WITH regard to Ireland, there were no greater hopes of agreement between the parties. The parliament demanded that the truce with the rebels ſhould be declared null; that the management of the war ſhould be given over entirely to the parliament; and that after the conqueſt of Ireland, the nomination of the lord lieutenant and of the judges, or, in other words, the ſovereignty of that kingdom, ſhould likewiſe remain in their hands [l].

WHAT rendered an accommodation more deſperate was, that the demands on theſe three heads, however exorbitant, were acknowledged, by the parliamentary commiſſioners, to be nothing but preliminaries. After

[g] Dugdale, p. 798. [h] Ibid. p. 791. [i] Ibid. p. 820. [k] Ibid. p. 877.
[l] Ibid. p. 826, 827.

all theſe were granted, it would be neceſſary to proceed to the diſcuſſion of thoſe other demands, ſtill more exorbitant, which, a little before, had been tranſmitted to the king at Oxford. Such ignominious terms were there inſiſted on, that worſe could ſcarcely be demanded, were Charles totally vanquiſhed, a priſoner, and in chains. The king was required to attaint and except from a general pardon, forty of the moſt conſiderable of his Engliſh ſubjects, and nineteen of his Scottiſh, together with all popiſh recuſants in both kingdoms who had born arms for him. It was inſiſted, that forty eight more, with all the members who had ſitten in either houſe at Oxford, all lawyers and divines who had embraced the king's party, ſhould be rendered incapable of any office, be forbidden the exerciſe of their profeſſion, be prohibited from coming within the verge of the court, and forfeit the third of their eſtates to parliament. It was required, that whoever had borne arms for the king, ſhould forfeit the tenth of their eſtates, or if that did not ſuffice, the ſixth, for the payment of public debts. As if royal authority were not ſufficiently annihilated by ſuch terms, it was demanded, that the court of wards ſhould be aboliſhed; that all the conſiderable officers of the crown, and all the judges, ſhould be appointed by parliament; and that the right of peace and war ſhould not be exerciſed without the conſent of that aſſembly[m]. The preſbyterians, it muſt be confeſſed, after inſiſting on ſuch conditions, differed only in words from the independents, who required the eſtabliſhment of a pure republic. When the debates had been carried on to no purpoſe, during twenty days among the commiſſioners, they ſeparated, and returned; thoſe of the king to Oxford, thoſe of the parliament to London.

A LITTLE before the commencement of this fruitleſs treaty, a deed was executed by the parliament, which proved their determined reſolution to yield nothing but to proceed in the ſame violent and imperious manner, with which they had at firſt entered on theſe dangerous enterprizes. Archbiſhop Laud, the moſt favoured miniſter of the king, was brought to the ſcaffold; and in this inſtance the public might ſee, that popular aſſemblies as by their very number, they are in a great meaſure exempt from the reſtraint of ſhame, ſo when they alſo overleap the bounds of law, naturally break out into acts of the greateſt tyranny and injuſtice.

1645. Execution of Laud.

FROM the time that Laud had been committed, the houſe of commons, engaged in enterprizes of greater moment, had found no leiſure to finiſh his impeachment; and he had patiently endured ſo long an impriſonment, without being brought to any trial. After the union with Scotland, the bigoted prejudices of that nation revived the like ſpirit in

[m] Ruſh. vol. vi. p. 850. Dugdale, p. 737.

England; and the ſectaries reſolved to gratify their vengeance in the puniſhment of this prelate, who had ſo long, by his authority, and by the execution of penal laws, kept their zealous ſpirit under confinement. He was accuſed of high treaſon, in endeavouring to ſubvert the fundamental laws, and of other high crimes and miſdemeanors. The ſame illegality of an accumulative crime and a conſtructive evidence, which appeared in the caſe of Strafford; the ſame violence and iniquity in conducting the trial, are conſpicuous throughout the whole courſe of this proſecution. The groundleſs charge of popery, though belied by his whole life and conduct, was continually urged againſt the priſoner; and every error rendered unpardonable by this imputation, which was ſuppoſed to imply the height of all enormities. "This man, my lords," ſaid ſerjeant Wilde, concluding his long ſpeech againſt him, "is like Naaman the Syrian; a great man, "but a leper [n]."

We ſhall not enter into a detail of this matter, which, at preſent, ſeems to admit of little controverſy. It ſuffices to ſay, that, after a long trial, and the examination of above a hundred and fifty witneſſes, the commons found ſo little likelihood of obtaining a judicial ſentence againſt Laud, that they were obliged to have recourſe to their legiſlative authority, and to paſs an ordinance for taking away the life of this aged prelate. Notwithſtanding the low condition, into which the houſe of peers was fallen, there appeared ſome intention of rejecting this ordinance; and the popular leaders were again obliged to apply to the multitude, and to extinguiſh, by threats of new tumults, the ſmall remains of liberty, poſſeſſed by the upper houſe. Seven peers alone voted in this important queſtion. The reſt, either from ſhame or fear, took care to abſent themſelves [o].

Laud, who had behaved during his trial with ſpirit and vigor of genius, ſunk not under the horrors of his execution; but though he had uſually profeſſed himſelf apprehenſive of a violent death, he found all his fears to be diſſipated before that ſuperior courage, by which he was animated. "No one," ſaid he, "can be more willing to ſend me out of life, than I "am deſirous to go." Even upon the ſcaffold, and during the intervals of his prayers, he was haraſſed and moleſted by Sir John Clotworthy, a zealot of the reigning ſect, and a great leader in the lower houſe: This was the time he choſe for examining the principles of the dying primate, and trepaning him into a confeſſion, that he truſted, for his ſalvation, to the merits of good works, not to the death of the Redeemer [p]. Having extricated himſelf from theſe theological toils, the archbiſhop laid his head on the block; and it was ſevered from the body at one blow [q]. Thoſe religious opinions, for which he ſuffered, contributed, no doubt, to the courage and

[n] Ruſh. vol. v. p. 830. [o] Warwick, p. 169. [p] Ruſh. vol. vi p. 838, 839. [q] 12th of July, 1644.

conſtancy of his end. Sincere he undoubtedly was, and however miſguided, actuated by pious motives in all his purſuits; and it is to be regretted, that a man of ſuch ſpirit, who conducted his enterprizes with ſo much warmth and induſtry, had not entertained more enlarged views, and embraced principles more favourable to the general happineſs of ſociety.

THE great and important advantage, which the party gained by Straford's death, may, in ſome degree, palliate the iniquity of the ſentence pronounced againſt him: But the execution of this old infirm prelate, who had ſo long remained an inoffenſive priſoner, can be aſcribed to nothing but vengeance and bigotry in thoſe ſevere religioniſts, by whom the parliament was entirely governed. That he deſerved a better fate was not queſtioned by any reaſonable man: The degree of his merit, in other reſpects, was diſputed. Some accuſed him of recommending ſlaviſh doctrines, of promoting perſecution, and of encouraging ſuperſtition; while others thought, that his conduct, in theſe three particulars, would admit of apology and extenuation.

THAT the *letter* of the law, as much as the moſt flaming court-ſermon, inculcates paſſive obedience, is apparent: And though the *ſpirit* of a limited government ſeems to require, in extraordinary caſes, ſome mitigation of ſo rigorous a doctrine; it muſt be confeſſed, that the preceding genius of the Engliſh conſtitution had rendered a miſtake in this particular very natural and excuſable. To inflict death, at leaſt on thoſe who depart from the exact line of truth in theſe nice queſtions: ſo far from being favourable to national liberty, ſavours ſtrongly of the ſpirit of tyranny and proſcription.

TOLERATION had hitherto been ſo little the principle of any Chriſtian ſect, that even the catholics, the remnant of the religion profeſſed by their forefathers, could not obtain from the Engliſh the leaſt indulgence. This very houſe of commons, in their famous remonſtrance, took care to juſtify themſelves, as from the higheſt imputation, from any intention to relax the golden reins of diſcipline, as they called them, or to grant any toleration[r]: And the enemies of the church were ſo fair from the beginning, as not to lay claim to liberty of conſcience, which they called a toleration for foul murder. They openly challenged the ſuperiority, and even menaced the eſtabliſhed church with that perſecution, which they afterwards exerciſed againſt her with ſuch ſeverity. And if the queſtion be conſidered in the view of policy; though a ſect, already formed and advanced, may, with good reaſon, demand a toleration; what title had the puritans to this indulgence, who were juſt on the point of ſeparation from the church, and whom, it might be hoped, ſome wholeſome and legal ſeverities would ſtill retain in obedience[s]?

[r] Nalſon, vol. ii. p. 305.

[s] See note [A] at the end of the volume.

WHATEVER ridicule, to a philoſophical mind, may be thrown on pious ceremonies, it muſt be confeſſed, that, during a very religious age, no inſtitutions can be more advantageous to the rude multitude, and tend more to mollify that fierce and gloomy ſpirit of devotion, to which they are ſubject. Even the Engliſh church, though it had retained a ſhare of popiſh ceremonies, may juſtly be thought too naked and unadorned, and ſtill to approach too near the abſtract and ſpiritual religion of the puritans. Laud and his aſſociates, by reviving a few primitive inſtitutions of this nature, corrected the error of the firſt reformers, and preſented to the affrightened and aſtoniſhed mind, ſome ſenſible, exterior obſervances; which might occupy it during its religious exerciſes, and abate the violence of its diſappointed efforts. The thought, no longer bent on that divine and myſterious eſſence, ſo ſuperior to the narrow capacities of mankind, was able, by means of the new model of devotion, to relax itſelf in the contemplation of pictures, poſtures, veſtments, buildings; and all the fine arts, which miniſter to religion, thereby received additional encouragement. The primate, it is true, conducted this ſcheme, not with the enlarged ſentiments and cool reflection of a legiſlator, but with the intemperate zeal of a ſectary; and by over-looking the circumſtances of the times, ſerved rather to enflame that religious fury which he meant to repreſs. But this blemiſh is more to be regarded as a general imputation on the whole age, than any particular failing of Laud's; and it is ſufficient for his vindication to obſerve, that his errors were the moſt excuſable of all thoſe which prevailed during that zealous period.

CHAP. LVIII.

Montroſe's victories——The new model of the army——Battle of Naſeby——Surrender of Briſtol——The Weſt conquered by Fairfax——Deſeat of Montroſe——Eccleſiaſtical affairs——King goes to the Scots at Newark——End of the war——King delivered up by the Scots.

WHILE the king's affairs declined in England, ſome events happened in Scotland, which ſeemed to promiſe him a more proſperous iſſue of the quarrel. 1645. Montroſe's victories.

BEFORE the commencement of theſe civil diſorders, the earl of Montroſe, a young nobleman of a diſtinguiſhed family, returning from his travels, had been introduced to the king, and had made an offer of his ſervices; but by the inſinuations of the marqueſs, afterwards duke of Hamilton, who poſſeſ-

ſed much of Charles's confidence, he had not been received with that diſtinction, to which he thought himſelf juſtly entitled [t]. Diſguſted with this treatment, he had forwarded all the violence of the covenanters; and, agreeably to the natural ardour of his genius, he had employed himſelf, during the firſt Scottiſh inſurrection, with great zeal, as well as ſucceſs, in levying and conducting their armies. Being commiſſioned by the *Tables* to wait upon the king, while the royal army lay at Berwic, he was ſo gained by the civilities and careſſes of that monarch, that he thenceforth devoted himſelf entirely, though ſecretly, to his ſervice, and entered into a cloſe correſpondence with him. In the ſecond inſurrection, a great military command was entruſted to him by the covenanters; and he was the firſt that paſſed the Tweed, at the head of their troops, in the invaſion of England. He found means however, ſoon after to convey a letter to the king: And by the infidelity of ſome about that prince; Hamilton, as was ſuſpected; a copy of this letter was ſent to Leven, the Scottiſh general. Being accuſed of treachery, and a correſpondence with the enemy: Montroſe openly avowed the letter, and aſked the generals, if they dared to call their ſovereign an enemy: And by this bold and magnanimous behaviour, he eſcaped the danger of an immediate proſecution. As he was now fully known to be of the royal party, he no longer concealed his principles; and he endeavoured to draw thoſe, who had entertained like ſentiments into a bond of aſſociation for his maſter's ſervice. Though thrown into priſon for this enterprize [u], and detained ſome time, he was not diſcouraged; but ſtill continued, by his countenance and protection, to infuſe ſpirit into the diſtreſſed royaliſts. Among other perſons of diſtinction, who united themſelves to him, was lord Napier of Merchiſton, ſon of the famous inventor of the logarithms, the perſon to whom the title of a GREAT MAN is more juſtly due, than to any other whom his country ever produced.

THERE was in Scotland another party, who, profeſſing equal attachment to the king's ſervice, pretended only to differ with Montroſe about the means of attaining the ſame end; and of that party, duke Hamilton was the leader. This nobleman had cauſe to be extremely devoted to the king, not only by reaſon of the connexion of blood, which united him to the royal family; but on account of the great confidence and favour, with which he had ever been honoured by his maſter. Being accuſed by lord Rae, not without ſome appearance of probability, of a conſpiracy againſt the king; Charles was ſo far from harbouring ſuſpicion againſt him, that, the very firſt time Hamilton came to court, he received him into his

[t] Nalſon, Intr. p. 63.

[u] It is not improper, to take notice of a miſtake committed by Clarendon, much to the diſadvantage of this gallant nobleman; that he offered the king, when his majeſty was in Scotland, to aſſaſſinate Argyle. All the time the king was in Scotland, Montroſe was confined to priſon. Ruſh. vol. vi. p. 980.

bedchamber, and paſſed alone the night with him [w]. But ſuch was the duke's unhappy fate or conduct, that he eſcaped not the imputation of treachery to his friend and ſovereign: and though he at laſt ſacrificed his life in the king's ſervice, his integrity and ſincerity have not been thought by hiſtorians entirely free from blemiſh. Perhaps, (and this is the more probable opinion) the ſubtilties and refinements of his conduct and his temporizing maxims, though accompanied with good intentions, have been the chief cauſe of a ſuſpicion, which has never yet been either fully proved or refuted. As much as the bold and vivid ſpirit of Montroſe prompted him to enterprizing meaſures, as much was the cautious temper of Hamilton inclined to ſuch as were moderate and dilatory. While the former foretold, that the Scottiſh covenanters were ſecretly forming an union with the Engliſh parliament, and inculcated the neceſſity of preventing them by ſome vigorous undertaking; the latter ſtill inſiſted, that every ſuch attempt would precipitate them into meaſures, to which, otherwiſe, they were not, perhaps, inclined. After the Scottiſh convention was ſummoned without the king's authority, the former exclaimed, that their intentions were now viſible, and that, if ſome unexpected blow were not ſtruck, to diſſipate them, they would arm the whole nation againſt the king; the latter maintained the poſſibility of outvoting the diſaffected party, and ſecuring, by peaceful means, the allegiance of the kingdom [x]. Unhappily for the royal cauſe Hamilton's repreſentations met with more credit from the king and queen, than thoſe of Montroſe; and the covenanters were allowed, without interruption, to proceed in all their hoſtile meaſures. Montroſe then haſtened to Oxford; where his invectives againſt Hamilton's treachery, concurring with the general prepoſſeſſion, and ſupported by the unfortunate event of his counſels, were entertained with univerſal approbation. Influenced by the clamour of his party, more than his own ſuſpicions, Charles, as ſoon as Hamilton appeared, ſent him priſoner to Pendennis caſtle in Cornwall. His brother, Laneric, who was alſo put under confinement, found means to make his eſcape, and to fly into Scotland.

THE king's ears were now opened to Montroſe's counſels, who propoſed none but the boldeſt and moſt daring, agreeably to the deſperate ſtate of the royal cauſe in Scotland. Though the whole nation was ſubjected by the covenanters, though great armies were kept on foot by them, and every place guarded by a vigilant adminiſtration; he undertook, by his own credit, and that of the few friends who remained to the king, to raiſe ſuch commotions, as would ſoon oblige the malcontents to recal thoſe forces, which had ſo ſenſibly thrown the balance in favour of the parliament [y]. Not diſcouraged with the defeat at Marſton-moor, which rendered it im-

[w] Nalſon, vol. ii. p. 683. [x] Clarendon, vol. iii. p. 380, 381. Ruſh. vol. vi. p. 980. Wiſhart, cap. 2. [y] Wiſhart, cap. 3.

poſſible for him to draw any ſuccour from England; he was content to ſtipulate with the earl of Antrim, a nobleman of Ireland, for ſome ſupply of men from that country. And he himſelf, changing his diſguiſes, and paſſing through many dangers, arrived in Scotland; where he lay concealed in the borders of the Highlands, and ſecretly prepared the minds of his partizans for attempting ſome great enterprize [z].

No ſooner were the Iriſh landed, though not exceeding eleven hundred foot, very ill armed, than Montroſe declared himſelf, and entered upon that ſcene of action, which has rendered his name ſo celebrated. About eight hundred of the men of Athol flocked to his ſtandard. Five hundred men more, who had been levied by the covenanters, were perſuaded to embrace the royal cauſe: And with this combined force, he haſtened to attack lord Elcho, who lay at Perth with an army of 6000 men, aſſembled upon the firſt news of the Iriſh invaſion. Montroſe, inferior in number, totally unprovided with horſe, ill ſupplied with arms and ammunition, had nothing to depend on, but the courage, which he himſelf, by his own example, and the rapidity of his enterprizes, ſhould inſpire into his raw ſoldiers. Having received the fire of the enemy, which was anſwered chiefly by a volley of ſtones, he ruſhed amidſt them with his ſword drawn, threw them into confuſion, puſhed his advantage, and obtained a complete victory, with the ſlaughter of two thouſand of the covenanters [a].

THIS victory, though it augmented the renown of Montroſe, encreaſed not his power or numbers. The far greater part of the kingdom was extremely attached to the covenant; and ſuch as bore an affection to the royal cauſe, were terrified by the eſtabliſhed authority of the oppoſite party. Dreading the ſuperior power of Argyle, who, having joined his vaſſals to a force levied by the Public, was approaching with a conſiderable army; Montroſe haſtened northwards, in order to rouze again the marqueſs of Huntley and the Gordons, who, having before haſtily taken arms, had been inſtantly ſuppreſſed by the covenanters. He was joined on his march by the earl of Airly, with his two younger ſons, Sir Thomas and Sir David Oglivy: The eldeſt was, at that time, a priſoner with the enemy. He attacked at Aberdeen the lord Burley, who commanded a force of 2500 men. After a ſharp combat, by his undaunted courage, which, in his ſituation, was true policy, and was alſo not unaccompanied with military ſkill, he put the enemy to flight, and in the purſuit did great execution upon them [b].

BUT by this ſecond advantage, he obtained not the end which he expected. The envious nature of Huntley, jealous of Montroſe's glory, render-

[z] Clarendon, vol. v. p. 618. Ruſh. vol vi. p. 982. Wiſhart, cap. 4. [a] 1ſt of September, 1644. Ruſh. vol. vi. p. 983. Wiſhart, cap. 5. [b] 11th. of September, 1644. Ruſh. vol. vi. p. 983. Wiſhart, cap. 7.

ed him averſe to join an army, where he himſelf muſt be ſo much eclipſed by the ſuperior merit of the general. Argyle, re-inforced by the earl of Lothian, was behind him with a great army: The militia of the northern counties, Murray, Roſs, Caithneſs, to the number of 5000 men, oppoſed him in front, and guarded the banks of the Spey, a deep and rapid river. In order to elude theſe numerous armies, he turned aſide into the hills, and ſaved his weak, but active troops in Badenoch. After ſome marches and counter-marches, Argyle came up with him at Faivy-caſtle. This nobleman's character, though celebrated for political courage and conduct, was very low for military proweſs; and after ſome ſkirmiſhes, in which he was worſted, he here allowed Montroſe to eſcape him. By quick marches, through theſe inacceſſible mountains, that general freed himſelf from the ſuperior forces of the covenanters.

SUCH was the ſituation of Montroſe, that very good or very ill fortune was equally deſtructive to him, and diminiſhed his army. After every victory, his ſoldiers, greedy of ſpoil, but deeming the ſmalleſt acquiſition to be unexhauſted riches, deſerted in great numbers, and went home to ſecure the treaſures, which they had acquired. Tired too, and ſpent with haſty and long marches, in the depth of winter, through ſnowy mountains unprovided with every neceſſary, they fell off, and left their general almoſt alone with the Iriſh, who, having no place to which they could retire, ſtill adhered to him in every fortune.

WITH theſe, and ſome reinforcements of the Atholemen, and Macdonalds, whom he had recalled, Montroſe fell ſuddenly upon Argyle's country, and let looſe upon it all the rage of war; carrying off the cattle, burning the houſes, and putting the inhabitants to the ſword. This ſeverity, by which Montroſe ſullied his victories, was the reſult of private animoſity againſt the chieftain, as much as of zeal for the public cauſe. Argyle, collecting three thouſand men, marched in queſt of the enemy, who had retired with their plunder; and he lay at Innerlochy, ſuppoſing himſelf ſtill at a conſiderable diſtance from them. The earl of Seaforth, at the head of the garriſon of Inverneſs, who were veteran ſoldiers, joined to 5000 new levied troops of the northern counties, preſſed the royaliſts on the other ſide, and threatened them with inevitable deſtruction. By a quick and unexpected march, Montroſe haſtened to Innerlochy, and preſented himſelf in order of battle before the ſurpriſed, but not affrightened, covenanters. Argyle alone, ſeized with a panic, deſerted his army, who ſtill maintained their ground, and gave battle to the royaliſts. After a vigorous reſiſtance, they were defeated, and purſued with great ſlaughter [c]. And the power of the Campbells (that is Argyle's name) being thus broken; the highlanders, who were in general 1645. 2d Feb.

[c] Ruſh. vol. vi. p. 985. Wiſhart, cap. 8.

well-affected to the royal cauſe, began to join Montroſe's camp in great numbers. Seaforth's army diſperſed of itſelf, at the very terror of his name. And lord Gordon, eldeſt ſon of Huntley, having eſcaped from his uncle Argyle, who had hitherto detained him, now joined Montroſe with no contemptible number of his followers, attended by his brother, the earl of Aboine.

THE council at Edinburgh, alarmed at Montroſe's progreſs began to think of a more regular plan of defence, againſt an enemy, whoſe repeated victories had rendered him extremely formidable. They ſent for Baillie, an officer of reputation, from England; and joining him in command with Urrey, who had again inliſted himſelf among the king's enemies, they ſent them to the field, with a conſiderable army, againſt the royaliſts. Montroſe, with a detachment of 800 men, had attacked Dundee, a town extremely zealous for the covenant: And having carried it by aſſault, had delivered it up to be plundered by his ſoldiers; when Baillie and Urrey, with their whole force, were unexpectedly upon him [d]. His conduct and preſence of mind, in this emergence, appeared conſpicuous. Inſtantly he called off his ſoldiers from plunder, put them in order, ſecured his retreat by the moſt ſkilful meaſures; and having marched ſixty miles in the face of an enemy much ſuperior, without ſtopping, or allowing his ſoldiers the leaſt ſleep or refreſhment, he at laſt ſecured himſelf in the mountains.

BAILLIE and Urrey now divided their troops, in order the better to conduct the war againſt an enemy, who ſurpriſed them, as much by the rapidity of his marches, as by the boldneſs of his enterprizes. Urrey, at the head of 4000 men, met him at Alderne, near Inverneſs; and, encouraged by the ſuperiority of number (for the covenanters were double the royaliſts), attacked him in the poſt which he had choſen. Montroſe, having placed his right wing in ſtrong ground, drew the beſt of his forces to the other, and left no main body between them; a defect which he artfully concealed, by ſhowing a few men through the trees and buſhes, with which that ground was covered. That Urrey might have no leiſure to perceive the ſtratagem, he inſtantly led his left wing to the charge; and, making a furious impreſſion upon the covenanters, drove them off the field, and gained a complete victory [e]. In this battle, the valour of young Napier, ſon to the lord of that name, ſhone out with ſignal luſtre.

BAILLIE now advanced, in order to revenge Urrey's diſcomfiture; but, at Alford, he met, himſelf, with a like fate [f]. Montroſe, weak in cavalry, here lined his troops of horſe with infantry; and after putting the enemy's

[d] Ruſh. vol. vii. p. 228. Wiſhart, cap. 9. [e] Ruſh. vol. vii. 229. Wiſhart, cap. 10. [f] 2d of July.

horſe to rout, fell with united force upon their foot, who were entirely cut in pieces, though with the loſs of the gallant lord Gordon on the part of the royaliſts [g]. And having thus prevailed in ſo many battles, which his vigour ever rendered as deciſive as they were ſucceſsful; he ſummoned together all his friends and partizans, and prepared himſelf for marching into the ſouth ern provinces, in order to put a final period to the power of the covenanters, and diſſipate the parliament, which, with great pomp and ſolemnity, they had ſummoned to meet at St. Johnſtone's.

WHILE the fire was thus kindled in the north of the iſland, it blazed out with no leſs fury in the ſouth: The parliamentary and royal armies, as ſoon as the ſeaſon would permit, prepared to take the field, in hopes of bringing their important quarrel to a quick deciſion. The paſſing of the ſelf-denying ordinance had been protracted by ſo many debates and intrigues, that the ſpring was far advanced before it received the ſanction of both houſes; and it was thought dangerous by many to introduce, ſo near the time of action, ſuch great innovations into the army. Had not the punctilious principles of Eſſex engaged him, amidſt all the diſguſts which he received, to pay implicit obedience to the parliament; this alteration had not been effected without ſome fatal accident: Since, notwithſtanding his prompt reſignation of the command, a mutiny was generally apprehended [h]. Fairfax, or more properly ſpeaking, Cromwel, under his name, introduced, at laſt, the *new model* into the army, and threw the troops into a different ſhape. From the ſame men, new regiments and new companies were formed, different officers appointed, and the whole military force put into ſuch hands, as the independents could rely on. Beſides members of parliament who were excluded, many officers, unwilling to ſerve under the new generals, threw up their commiſſions; and unwarily facilitated the project of putting the army entirely into the hands of that faction.

THOUGH the diſcipline of the former parliamentary army was not contemptible, a more exact plan was introduced, and rigorouſly executed, by theſe new commanders. Valour indeed was very generally diffuſed over the one party as well as the other, during this period: Diſcipline alſo was attained by the forces of the parliament: But the perfection of the military art, in concerting the general plans of action, and the operations of the field, ſeems ſtill, on both ſides, to have been, in a great meaſure, wanting. Hiſtorians at leaſt, perhaps from their own ignorance and inexperience, have not remarked any thing but a headlong impetuous conduct; each party hurrying to a battle, where valour and fortune chiefly determined the ſucceſs. The great ornament of hiſtory, during theſe reigns, are the civil, not the military tranſactions.

[g] Ruſh. vol. vii. p. 229. Wiſhart, cap. 11. [h] Ruſh. vol. vii p. 126, 127.

1645. New model of the army.

NEVER ſurely was a more ſingular army aſſembled, than that which was now ſet on foot by the parliament. To the great number of the regiments, chaplains were not appointed: The officers aſſumed the ſpiritual duty, and united it with their military functions. During the intervals of action, they occupied themſelves in ſermons, prayers, exhortations; and the ſame emulation, there, attended them, which, in the field, is ſo neceſſary to ſupport the honour of that profeſſion. Rapturous ecſtaſies ſupplied the place of ſtudy and reflection; and while the zealous devotees poured out their thoughts in unpremeditated harangues, they miſtook that eloquence, which, to their own ſurprize, as well as that of others, flowed in upon them, for divine illuminations, and for illapſes of the Holy Spirit. Wherever they were quartered, they excluded the miniſter from his pulpit; and, uſurping his place, conveyed their ſentiments to the audience, with all the authority, which followed their power, their valour, and their military exploits, united to their appearing zeal and fervour. The private ſoldiers, ſeized with the ſame ſpirit, employed their vacant hours in prayer, in peruſing the Holy Scriptures, in ghoſtly conferences; where they compared the progreſs of their ſouls in grace, and mutually ſtimulated each other to farther advances in the great work of their ſalvation. When they were marching to battle, the whole field reſounded, as well with pſalms and ſpiritual ſongs adapted to the occaſion, as with the inſtruments of military muſic [1]; and every man endeavoured to drown the ſenſe of preſent danger, in the proſpect of that crown of glory, which was ſet before him. In ſo holy a cauſe, wounds were eſteemed meritorious; death, martyrdom, and the hurry and dangers of action, inſtead of baniſhing their pious viſions, rather ſerved to impreſs their minds more ſtrongly with them.

THE royaliſts were deſirous of throwing a ridicule on this fanaticiſm of the parliamentary armies, without being ſenſible how much reaſon they had to apprehend its dangerous conſequences. The forces, aſſembled by the king at Oxford, in the weſt, and in other places, were equal, if not ſuperior, in number, to their adverſaries; but actuated by a very different ſpirit. That licence, which had been introduced by want of pay, had riſen to a great height among them, and rendered them more formidable to their friends than to their enemies. Prince Rupert, negligent of the people, fond of the ſoldiery, had indulged the troops in unwarrantable liberties. Wilmot, a man of diſſolute manners, had promoted the ſame ſpirit of diſorder: And the licentious Goring, Gerrard, Sir Richard Granville, now carried it to a great pitch of enormity. In the weſt eſpecially, where Goring commanded, univerſal ſpoil and havoc were committed; and the whole country was laid waſte by the rapine of the army. All diſtinction of par-

[1] Dugdale, p. 7. Ruſh. vol. vi. p. 281

ties being in a manner dropped; the moſt devoted friends of the church and monarchy wiſhed there, for ſuch ſucceſs to the parliamentary forces, as might put an end to theſe oppreſſions. The country people, deſpoiled of their ſubſtance, flocked together in ſeveral places, armed with clubs and ſtaves; and though they profeſſed an enmity to the ſoldiers of both parties, their hatred was in moſt places levelled chiefly againſt the royaliſts, from whom they had met with the worſt treatment. Many thouſands of theſe tumultuary peaſants were aſſembled in different parts of England: who deſtroyed all ſuch ſtraggling ſoldiers as they met with, and much infeſted the armies [k].

THE diſpoſition of the forces on both ſides, was as follows: Part of the Scottiſh army was employed in taking Pomfret, and other towns in Yorkſhire: Part of it beſieged Carliſle, valiantly defended by Sir Thomas Glenham. Cheſter, where Biron commanded, had long been blockaded by Sir William Brereton; and was reduced to great difficulties. The king, being joined by the princes Rupert and Maurice, lay at Oxford, with a conſiderable army, about 15,000 men. Fairfax and Cromwel were poſted at Windſor, with a new-modelled army, about 22,000 men. Taunton, in the county of Somerſet, defended by Blake, ſuffered a long ſiege from Sir Richard Granville, who commanded an army of about 8000 men; and though the defence had been obſtinate, the garriſon was now reduced to the laſt extremity. Goring commanded, in the weſt, an army of nearly the ſame number [l].

ON opening the campaign, the king formed the project of relieving Cheſter; Fairfax, that of relieving Taunton. The king was firſt in motion. When he advanced to Draiton in Shropſhire, Biron met him, and brought intelligence, that his approach had raiſed the ſiege, and that the parliamentary army had withdrawn. Fairfax, having reached Saliſbury in his road weſtward, received orders from the committee of both kingdoms, appointed for the management of the war, to return and lay ſiege to Oxford, now expoſed by the king's abſence. He obeyed, after ſending colonel Weldon to the weſt, with a detachment of 4000 men. On Weldon's approach, Granville who imagined that Fairfax with his whole army was upon him, raiſed the ſiege, and allowed this pertinacious town, now half taken and half burned, to receive relief: But the royaliſts, being re-inforced with 3000 horſe under Goring, again advanced to Taunton, and ſhut up Weldon, with his ſmall army, in that ruinous place [m].

THE king having effected his purpoſe with regard to Cheſter, returned ſouthwards; and in his way ſat down before Leiceſter, a garriſon of the

[k] Ruſh. vol. vii. p. 52. 61. 62. Whitlocke, p. 130, 131. 133. 135. Clarendon, vol. v. p. 665. [l] Ruſh. vol. vii. p. 18, 19, &c. Ibid. p. 28.

parliament's. Having made a breach in the wall, he ſtormed the town on all ſides; and after a furious aſſault, the ſoldiers entered ſword in hand, and committed all thoſe diſorders, to which their natural violence, eſpecially when inflamed by reſiſtance, is ſo much addicted [n]. A great booty was taken and diſtributed among them; Fifteen hundred priſoners fell into the king's hands. This ſucceſs, which ſtruck a great terror into the parliamentary party, determined Fairfax to leave Oxford, which he was beginning to approach; and he marched towards the king, with an intention of offering him battle. The king was advancing towards Oxford, in order to raiſe the ſiege, which he apprehended, was now begun; and both armies, ere they were aware, had advanced within ſix miles of each other. A council of war was called by the king, in order to deliberate concerning the meaſures which he ſhould now purſue. On the one hand, it ſeemed more prudent to delay the combat; becauſe Gerard, who lay in Wales with 3000 men, might be enabled, in a little time to join the army; and Goring, it was hoped, would ſoon be maſter of Taunton; and having put the weſt in full ſecurity, would then unite his forces to thoſe of the king, and give him an inconteſtible ſuperiority over the enemy. On the other hand, prince Rupert, whoſe boiling ardour ſtill puſhed him on to battle, excited the impatient humour of the nobility and gentry, of which the army was full; and urged the many difficulties under which the royaliſts laboured, and from which nothing but a victory could relieve them: The reſolution was taken to give battle to Fairfax; and the royal army immediately advanced upon him.

1645. Battle of Naſeby.

AT Naſeby was fought, with forces nearly equal this deciſive and well diſputed action, between the king and parliament. The main body of the royaliſts was commanded by the king himſelf: The right wing by prince Rupert; the left by Sir Marmaduke Langdale. Fairfax, ſeconded by Skippon, placed himſelf in the main body of the oppoſite army: Cromwel in the right wing: Ireton, Cromwel's ſon-in-law, in the left. The charge was begun with his uſual celerity and uſual ſucceſs, by prince Rupert. Though Ireton made ſtout reſiſtance, and even after he was run through the thigh with a pike, ſtill maintained the combat, till he was taken priſoner; yet was that whole wing broken, and purſued with precipitate fury by Rupert: He was even ſo inconſiderate as to loſe time in ſummoning and attacking the artillery of the enemy, which had been left with a good guard of infantry. The king led on his main body, and diſplayed, in this action, all the conduct of a prudent general, and all the valour of a ſtout ſoldier [o]. Fairfax and Skippon encountered him, and well ſupported that reputation which they had acquired. Skippon, being dangerouſly wounded, was

[n] Clarendon, vol. v. p. 652. [o] Whitlocke, p. 146.

desired by Fairfax to leave the field; but declared that he would remain there as long as one man maintained his ground [p]. The infantry of the parliament was broken, and pressed upon by the king; till Fairfax, with great presence of mind, brought up the reserve, and renewed the combat. Mean while Cromwel, having led on his troops to the attack of Langdale, overbore the force of the royalists, and by his prudence improved that advantage which he had gained by his valour. Having pursued the enemy about a quarter of a mile, and detached some troops to prevent their rallying; he turned back upon the king's infantry, and threw them into the utmost confusion. One regiment alone preserved its order unbroken, though twice desperately assailed by Fairfax: And that general, excited by so steddy a resistance, ordered Doyley, the captain of his life-guard, to give them a third charge in front, while he himself attacked them in rear. The regiment was broken. Fairfax with his own hands, killed an ensign, and having seized the colours, gave them to a soldier to keep for him. The soldier, afterwards boasting that he had won this trophy, was reproved by Doyley, who had seen the action; *Let him retain that honour*, said Fairfax, *I have to-day acquired enough beside* [q].

PRINCE RUPERT, sensible too late of his error, left the fruitless attack on the enemy's artillery, and joined the king, whose infantry was now totally discomfited. Charles exhorted this body of cavalry not to despair, and cried aloud to them, *One charge more, and we recover the day* [r]. But the disadvantages, under which they laboured, were too evident; and they could by no means be induced to renew the combat. Charles was obliged to quit the field, and leave the victory to the enemy [s]. The slain on the side of the parliament exceeded those on the side of the king: They lost a thousand men; he not above eight hundred. But Fairfax made 500 officers prisoners, and 4000 private men; took all the king's artillery and ammunition; and totally dissipated his infantry: So that scarce any victory could be more complete than that which he obtained.

AMONG the other spoils was seized the king's cabinet, with the copies of his letters to the queen, which the parliament afterwards ordered to be published [t]. They chose, no doubt, such of them as they thought would reflect dishonour on him: Yet, upon the whole, the letters are written with delicacy and tenderness, and give an advantageous idea both of the king's genius and morals. A mighty fondness, it is true, and attachment, he expresses to his consort, and often professes that he never would embrace any measures which she disapproved: But such declarations of civility and confidence are not always to be taken in a full literal sense. And so

[p] Rush. vol. vii. p. 43. Whitlocke, p. 145. [q] Idem. ibid. [r] Rush. vol. vii. p. 44. [s] Clarendon, vol. iv. p. 656, 657. Walker, p. 130, 131.
[t] Clarendon, vol. iv. p. 658.

legitimate an affection, avowed by the laws of God and man, may, perhaps, be excuſable towards a woman of beauty and ſpirit, even though ſhe was a papiſt [u].

THE Athenians, having intercepted a letter written by their enemy, Philip of Macedon, to his wife, Olympia; ſo far from being moved by a curioſity of prying into the ſecrets of that relation, immediately ſent the letter to the queen unopened. Philip was not their ſovereign; nor were they enflamed with that violent animoſity againſt him, which attends all civil commotions.

AFTER the battle the king retreated with that body of horſe which remained entire, firſt to Hereford, then to Abergavenny; and remained ſome time in Wales, from the vain hope of raiſing a body of infantry in thoſe harraſſed and exhauſted quarters. Fairfax, having firſt retaken Leiceſter, which was ſurrendered upon articles, began to deliberate concerning his future enterprizes. A letter was brought him, written by Goring to the king, and unfortunately entruſted to a ſpy of Fairfax's. Goring there informed the king, that in three weeks he hoped to be maſter of Taunton; after which he would join his majeſty with all the forces in the weſt; and entreated him, in the mean while, to avoid coming to any general action. This letter, which, had it been ſafely delivered, had probably prevented the battle of Naſeby, ſerved now to direct the operations of Fairfax [w]. After leaving a body of 3000 men to Pointz and Roſſiter, with orders to attend the king's motions, he marched immediately to the weſt, with a view of ſaving Taunton, and ſuppreſſing the only conſiderable force which now remained to the royaliſts.

1645. 17th June.

IN the beginning of the campaign, Charles, apprehenſive of the event, had ſent the prince of Wales, then fifteen years of age, to the weſt, with the title of general, and had given orders, if he were preſſed by the enemy, that he ſhould make his eſcape into a foreign country, and ſave one part of the royal family from the violence of the parliament. Prince Rupert had thrown himſelf into Briſtol, with an intention of defending that important city. Goring commanded the army before Taunton.

[u] Hearne has publiſhed the following extract from a manuſcript work of Sir Simon D'Ewes, who was no mean man in the parliamentary party. "On Thurſday, the 30th "and laſt day of this inſtant June 1625, I went to Whitehall, purpoſely to ſee the queen, "which I did fully all the time ſhe ſat at dinner. I perceiv'd her to be a moſt abſolute "delicate lady, after I had exactly ſurvey'd all the features of her face, much enliven'd "by her radiant and ſparkling black eyes. Beſides, her deportment among her wo-"men was ſo ſweet and humble, and her ſpeech and looks to her other ſervants ſo "mi'd and gracious, as I could not abſtain from divers deep fetched ſighs, to conſider, "that ſhe wanted the knowledge of the true religion." See preface to the Chronicle of Dunſtable, p. 64

[w] Ruſh, vol. vii p. 49.

ON Fairfax's approach, the ſiege of Taunton was raiſed; and the royaliſts retired to Lamport, an open town in the county of Somerſet. Fairfax attacked them in that poſt, beat them from it, killed about 300 men, and took 1400 priſoners [x]. After this advantage, he ſat down before Bridgewater, a town eſteemed ſtrong, and of great conſequence in that country. When he had entered the outer town by ſtorm, Windham, the governor, who had retired into the inner, immediately capitulated, and delivered up the place to Fairfax. The garriſon, to the number of 2600 men, were made priſoners of war. 1645. 20th July. 23d July.

FAIRFAX, having next taken Bath and Sherborne, reſolved to lay ſiege to Briſtol, and made great preparations for an enterprize, which, from the ſtrength of the garriſon, and the reputation of prince Rupert, the governor, was deemed of the laſt importance: But, ſo precarious in moſt men is this quality of military courage! a poorer defence was not made by any town during the whole war: And the general expectations were here extremely diſappointed. No ſooner had the parliamentary forces entered the lines by ſtorm, than the prince capitulated, and ſurrendered the city to Fairfax [y]. A few days before, he had written a letter to the king, in which he undertook to defend the place for four months, if no mutiny obliged him to ſurrender it. Charles, who was forming ſchemes, and collecting forces, for the relief of Briſtol, was aſtoniſhed at ſo unexpected an event, which was little leſs fatal to his cauſe than the defeat at Naſeby [z]. Full of indignation, he inſtantly recalled all prince Rupert's commiſſions, and ſent him a paſs to go beyond ſea [a]. 11th Sept. Surrender of Briſtol.

THE king's affairs now went faſt to ruin in all quarters. The Scots, having made themſelves maſters of Carliſle [b], after an obſtinate ſiege, marched ſouthwards, and laid ſiege to Hereford; but were obliged to raiſe it on the king's approach: And this was the laſt glimpſe of ſucceſs which attended his arms. Having marched to the relief of Cheſter, which was anew beſieged by the parliamentary forces under Colonel Jones, Pointz attacked his rear, and forced him to give battle. While the fight was continued with great obſtinacy, and victory ſeemed to incline to the royaliſts, Jones fell upon them from the other ſide, and put them to rout, with the loſs of 600 ſlain, and 1000 priſoners [c]. The king, with the remains of his broken army, fled to Newark, and thence eſcaped to Oxford, where he ſhut himſelf up during the winter ſeaſon. 24th Sept.

THE news, which he received from every quarter, were no leſs fatal than thoſe events which paſſed where he himſelf was preſent. Fairfax

[x] Ibid. vol. vii. p. 55. [y] Ruſh. vol. vii. p. 83. [z] Clarendon, vol. iv. p. 690. Walker, p. 137. [a] Clarendon, vol. iv. p. 695. [b] 28th June.
[c] Ruſh. vol. vii. p. 117.

and Cromwel, after the ſurrender of Briſtol, having divided their forces, the former marched weſtwards, in order to complete the conqueſt of Devonſhire and Cornwal; the latter attacked the king's garriſons which lay to the eaſt of Briſtol. The Devizes were ſurrendered to Cromwel; Berkeley caſtle was taken by ſtorm; Wincheſter capitulated; Baſing-houſe was entered ſword in hand: And all theſe middle counties of England were, in a little time, reduced to obedience under the parliament.

1646. The weſt conquered by Fairfax.

THE ſame rapid and uninterrupted ſucceſs attended Fairfax. The parliamentary forces, elated by paſt victories, governed with the moſt rigid diſcipline, met with no equal oppoſition from troops diſmayed by repeated defeats, and corrupted by licentious manners. After beating up the quarters of the royaliſts at Bovey-Tracy, Fairfax ſat down before Dartmouth, and in a few days entered it by ſtorm. Poudram caſtle being taken by him, and Exeter blockaded on all ſides; Hopton, a man of merit, who now commanded the royaliſts, having advanced to the relief of that town with an army of 8000 men, met with the parliamentary army at Torrington; where he was defeated, all his foot diſperſed, and he himſelf, with his horſe, obliged to retire into Cornwal. Fairfax followed him, and vigorouſly purſued the victory. Having incloſed the royaliſts at Truro, he forced the whole army, conſiſting of 5000 men, chiefly cavalry, to ſurrender upon terms. The ſoldiers, delivering up their horſes and arms, were allowed to diſband, and received twenty ſhillings apiece, to carry them to their reſpective abode. Such of the officers as deſired it, had paſſes to retire beyond ſea: The others having promiſed never more to bear arms, payed compoſitions to the parliament [d], and procured their pardon [e]. And thus Fairfax, after taking Exeter, which completed the conqueſt of the weſt, marched, with his victorious army, to the centre of the kingdom, and fixed his camp at Newbury. The prince of Wales, in purſuance of the king's orders, retired to Scilly, thence to Jerſey; whence he went to Paris; where he joined the queen, who had fled thither from Exeter, at the time the earl of Eſſex conducted the parliamentary army to the weſt.

18th Jan.

19th Feb.

IN the other parts of England, Hereford was taken by ſurprize: Cheſter ſurrendered: Lord Digby, who had attempted, with 1200 horſe, to break into Scotland and join Montroſe, was defeated at Sherburn, in Yorkſhire, by colonel Copley; his whole force was diſperſed; and he himſelf was obliged to fly, firſt to the Iſle of Man, thence to Ireland. News too

[d] Theſe compoſitions were different, according to the demerits of the perſon: But by a vote of the houſe they could not be under two years rent of the delinquent's eſtate. Journ. 11th of Auguſt 1648. Whitlocke, p. 160.

[e] Ruſh. vol. vii. p. 108.

arrived that Montroſe himſelf after ſome more ſucceſſes, was at laſt routed; and this only remaining hope of the royal party finally extinguiſhed.

WHEN Montroſe deſcended into the ſouthern counties, the covenanters, aſſembling their whole force, met him with a numerous army, and gave him battle, but without ſucceſs, at Kilſyth [f]. This was the moſt complete victory that Montroſe ever obtained. The royaliſts put to ſword ſix thouſand of their enemies, and left the covenanters no remains of any army in Scotland. The whole kingdom was ſhaken with theſe repeated ſucceſſes of Montroſe; and many noblemen, who ſecretly favoured the royal cauſe, now declared openly for it, when they ſaw a force able to ſupport them. The marqueſs of Douglaſs, the earls of Annandale and Hartfield, the lords Fleming, Seton, Maderty, Carnegy, with many others, flocked to the royal ſtandard. Edinburgh opened its gates, and gave liberty to all the priſoners there detained by the covenanters. Among the reſt was lord Ogilvy, ſon of Airly, whoſe family had contributed extremely to the victory gained at Kilſyth [g].

DAVID LESLY was detached from the army in England, and marched to the relief of his diſtreſſed party in Scotland. Montroſe advanced ſtill farther to the ſouth, allured by vain hopes, both of rouzing to arms the earl's of Hume, Traquaire, and Roxborough, who had promiſed to join him; and of obtaining from England ſome ſupply of cavalry; in which he was deficient. By the negligence of his ſcouts, Leſly at Philip-haugh in the forreſt, ſurprized his army, much diminiſhed in numbers, from the deſertion of the Highlanders, who had retired to the hills, according to cuſtom in order to ſecure their plunder. After a ſharp conflict, where Montroſe exerted great valour, his forces were routed by Leſly's cavalry [h]. And he himſelf was obliged to fly with his broken forces into the mountains; where he again prepared himſelf for new battles and new enterprizes [i]. 1646. Defeat of Montroſe.

THE covenanters uſed the victory with rigour. Their priſoners, Sir Robert Spotiſwood, ſecretary of ſtate, and ſon to the late primate, Sir Philip Niſbet, Sir William Rollo, colonel Nathaniel Gordon, Andrew Guthry, ſon of the biſhop of Murray, William Murray, ſon of the earl of Tullibardine, were condemned and executed. The ſole crime, imputed to the ſecretary, was his delivering to Montroſe the king's commiſſion to be captain general of Scotland. Lord Ogilvy, who was again taken priſoner, would have undergone the ſame fate, had not his ſiſter found means to procure his eſcape, by changing cloaths with him. For this inſtance of courage and dexterity, ſhe met with harſh uſage. The clergy ſolicited

[f] 15 Auguſt, 1645. [g] Ruſh. vol. vii p. 230, 231. Wiſhart, cap. 13. [h] 13th of Sept. 1645. [i] Ruſh. vol. vii. p. 231.

the parliament, that more royaliſts might be executed; but could not obtain their requeſt [k].

AFTER all theſe repeated diſaſters, which every-where befel the royal party, there remained only one body of troops, on which fortune could exerciſe her rigour. Lord Aſtley, with a ſmall army of 3000 men, chiefly cavalry, marching to Oxford, in order to join the king, was met at Stowe by colonel Morgan, and entirely defeated; himſelf being taken priſoner. "You have done your "work," ſaid Aſtley to the parliamentary officers; "and may now go "to play, unleſs you chooſe to fall out among yourſelves [l]."

1646. 22d March.

THE condition of the king, during this whole winter, was to the laſt degree, diſaſtrous and melancholy. As the dread of ills is commonly more oppreſſive than their real preſence, perhaps in no period of his life was he more juſtly the object of compaſſion. His vigour of mind, which, though it ſometimes failed him in acting, never deſerted him in his ſufferings, was what alone ſupported him; and he was determined, as he wrote to lord Digby, if he could not live as a king, to die like a gentleman; nor ſhould any of his friends, he ſaid, ever have reaſon to bluſh for the prince whom they had ſo unfortunately ſerved [m]. The murmurs of diſcontented officers, on the one hand, haraſſed their unhappy ſovereign; while they over-rated thoſe ſervices and ſufferings, which they now ſaw, muſt, for ever, go unrewarded [n]. The affectionate duty, on the other hand, of his more generous friends, who reſpected his misfortunes and his virtues, as much as his dignity, wrung his heart with a new ſorrow; when he reflected, that ſuch diſintereſted attachment would ſo ſoon be expoſed to the rigour of his implacable enemies. Repeated attempts, which he made for a peaceful and equitable accommodation with the parliament, ſerved to no purpoſe, but to convince them, that the victory was entirely in their hands. They deigned not to make the leaſt reply to ſeveral of his meſſages, in which he deſired a paſſport for commiſſioners [o]. At laſt, after reproaching him with the blood ſpilt during the war, they told him, that they were preparing bills for him; and his paſſing them would be the beſt pledge of his inclination towards peace: In other words, he muſt yield at diſcretion [p]. He deſired a perſonal treaty, and offered to come to Lon-

[k] Guthry's Memoirs. Ruſh vol. vii. p. 232.

[l] Ruſh. vol. vii. p. 141. It was the ſame Aſtley, who before he charged at the battle of Edge hill, made this ſhort prayer, *O Lord! thou knoweſt how buſy I muſt be this day. If I forget thee, do not thou forget me.* And with that roſe up, and cry'd *March on, boys!* Warwic, p. 229. There were certainly much longer prayers ſaid in the parliamentary army, but I doubt, if there was ſo good a one.

[m] Carte's Ormond, vol. iii. N° 433. [n] Walker, p. 147. [o] Ruſh. vol. vii. p. 215, &c. [p] Ibid. vol. vii. p. 217. 219. Clarendon, vol. iv. p. 744.

don, upon receiving a ſafe-conduct for himſelf and his attendants: They abſolutely refuſed him admittance, and iſſued orders for the guarding, that is the ſeizing of his perſon, in caſe he ſhould attempt to viſit them [q]. A new incident, which happened in Ireland, ſerved to enflame the minds of men, and to encreaſe thoſe calumnies, with which his enemies had ſo much loaded him, and which he ever regarded as the moſt grievous part of his misfortunes.

AFTER the ceſſation with the Iriſh rebels, the king was deſirous of concluding a final peace with them, and obtaining their aſſiſtance in England: And he gave authority to Ormond, lord lieutenant, to promiſe them an abrogation of all the penal laws enacted againſt catholics; together with the ſuſpenſion of Poining's ſtatute, with regard to ſome particular bills, which ſhould be agreed on. Lord Herbert created earl of Glamorgan (though his patent had not yet paſſed the ſeals), having occaſion for his private affairs to go to Ireland, the king conſidered, that this nobleman, being a catholic, and allied to the beſt Iriſh families, might be of ſervice: He alſo foreſaw, that farther conceſſions with regard to religion might probably be demanded by the bigoted Iriſh; and that, as theſe conceſſions, however neceſſary, would give great ſcandal to the proteſtant zealots in his three kingdoms, it would be requiſite, both to conceal them during ſome time, and to preſerve Ormond's character, by giving private orders to Glamorgan to conclude and ſign theſe articles. But as he had a better opinion of Glamorgan's zeal and affection for his ſervice, than of his capacity, he enjoined him to communicate all his meaſures to Ormond; and though the final concluſion of the treaty muſt be executed only in Glamorgan's own name, he was required to be directed, in the ſteps towards it, by the opinion of the lord lieutenant. Glamorgan bigoted to his religion, and paſſionate for the king's ſervice, but guided in theſe purſuits by no manner of judgement or diſcretion, ſecretly, of himſelf, without any communication with Ormond, concluded a peace with the council of Kilkenny, and agreed in the king's name, that the Iriſh ſhould enjoy all the churches, of which they had ever been in poſſeſſion ſince the commencement of their inſurrection; on condition that they ſhould aſſiſt the king in England with a body of ten thouſand men. This tranſaction was diſcovered by accident. The titular archbiſhop of Taum being killed by a ſally of the garriſon of Sligo, the articles of treaty were found among his baggage, and were immediately publiſhed every where, and copies of them ſent over to the Engliſh parliament [r]. The lord lieutenant and lord Digby, foreſeeing the clamour which would be raiſed againſt the king, committed Glamorgan to priſon, charged him with treaſon for

[q] Ruſh. vol. vii. p. 249. Clarendon, vol. iv. p. 741. [r] Ruſh. vol. vii. p. 239.

his temerity, and maintained, that he had acted altogether without any authority from his master. The English parliament however neglected not so favourable an opportunity of reviving the old clamour with regard to the king's favour of popery, and accused him of delivering over, in a manner, the whole kingdom of Ireland to that hated sect. The king told them, "That the earl of Glamorgan having made an offer to raise "forces in the kingdom of Ireland, and to conduct them into England for "his majesty's service, had a commission to that purpose, and to that "purpose only, and that he had no commission at all to treat of any thing "else, without the privity and direction of the lord lieutenant, much less "to capitulate any thing concerning religion, or any property belonging "either to church or laity [s]." Though this declaration seems agreeable to truth, it gave no satisfaction to the parliament; and some historians, even at present, when the ancient bigotry is somewhat abated, are desirous of representing this very innocent transaction, in which the king was engaged by the most violent necessity, as a stain on the memory of that unfortunate prince [t].

HAVING lost all hope of prevailing over the rigour of the parliament, either by arms or by treaty, the only resource which remained to the king, was derived from the intestine dissentions, which ran very high among his enemies. Presbyterians and independents, even before their victory was fully completed, fell into contests about the division of the spoil; and their religious as well as civil disputes agitated the whole kingdom.

THE parliament, though they had early abolished episcopal authority, had not, during so long a time, substituted any other spiritual government in its place; and their committees of religion had hitherto assumed the whole ecclesiastical jurisdiction: But they now established by an ordinance, the presbyterian model in all its forms of *congregational*, *classical*, *provincial*, and *national* assemblies. All the inhabitants of each parish were ordered to meet and chuse elders, on whom, together with the minister, was bestowed the entire direction of all spiritual concerns within the congregation. A number of neighbouring parishes, commonly between twelve and twenty, formed a classis; and the court, which governed this division, was composed of all the ministers, together with two, three, or four elders chosen from each parish. The provincial assembly retained an inspection over several neighbouring classes, and was composed entirely of clergymen: The national assembly was constituted in the same manner; and its authority extended over the whole kingdom. It is probable, that the tyranny, exercised by the Scottish clergy, had given warning not to allow laymen a place in the provincial or national assemblies; lest the nobility and more considerable

1646. Ecclesiastical affairs

[s] Birch, p. 119. [t] See note [KK] at the end of the volume.

gentry, ſoliciting a ſeat in theſe great eccleſiaſtical courts, ſhould beſtow a conſideration upon them, and render them, in the eyes of the multitude, a rival to the parliament. In the inferior courts, the mixture of the laity might ſerve rather to temper the uſual zeal of the clergy [u].

BUT though the preſbyterians, by the eſtabliſhment of parity among the eccleſiaſtics, were ſo far gratified, they were denied ſatisfaction in ſeveral other points, on which they were extremely intent. The aſſembly of divines had voted preſbytery to be of divine right: The parliament refuſed their aſſent to that deciſion [w]. Selden, Whitlocke, and other political reaſoners, aſſiſted by the independents, had prevailed in this important deliberation. They thought, that, had the bigoted religioniſts been able to get their heavenly charter recognized, the preſbyters would ſoon become more dangerous to the magiſtrate than had ever been the prelatical clergy. Theſe latter, while they claimed to themſelves a divine right, admitted of a like origin to civil authority: The former, challenging to their own order a celeſtial pedigree, derived the legiſlative power from a ſource no more dignified than the voluntary aſſociation of the people.

UNDER colour of keeping the ſacraments from profanation, the clergy of all chriſtian ſects had aſſumed, what they call the power of the keys, or the right of fulminating excommunication. The example of Scotland was a ſufficient leſſon for the parliament to uſe precaution in guarding againſt ſo ſevere a tyranny. They determined, by a general ordinance, all the caſes in which excommunication could be uſed. They allowed of appeals to parliament from all eccleſiaſtical courts. And they appointed commiſſioners in every province to judge of ſuch caſes as fell not within their general ordinance [x]. So much civil authority, intermixed with the eccleſiaſtical, gave diſguſt to all the zealots.

BUT nothing was attended with more univerſal ſcandal than the propenſity of many in the parliament towards a toleration of the proteſtant ſectaries. The preſbyterians exclaimed, that this indulgence made the church of Chriſt reſemble Noah's ark, and rendered it a receptacle for all unclean beaſts. They inſiſted, that the leaſt of Chriſt's truths was ſuperior to political conſiderations [y]. They maintained the eternal obligation impoſed by the covenant to extirpate hereſy and ſchiſm. And they menaced all their opponents with the ſame rigid perſecution, under which they themſelves had groaned, when held in ſubjection by the hierarchy.

So great prudence and reſerve, in ſuch material points, does great honour to the parliament; and proves, that, notwithſtanding the prevalency of bigotry and fanaticiſm, there were many members, who had more enlarged views, and paid regard to the civil intereſts of ſociety. Theſe men, uniting

[u] Ruſh. vol. vii. p. 224. [w] Whitlocke, p. 106. Ruſh. vol. vii. p. 260, 261.
[x] Ruſh. vol. vii. p. 210. [y] Ruſh. vol. vii. p. 308.

themſelves to the enthuſiaſts, whoſe genius is naturally averſe to clerical uſurpations, exerciſed ſo jealous an authority over the aſſembly of divines, that they allowed them nothing but the liberty of tendering advice, and would not entruſt them even with the power of electing their own chairman or his ſubſtitute, or of ſupplying the vacancies of their own members.

WHILE theſe diſputes were canvaſſed by theologians, who engaged in their ſpiritual conteſts every order of the ſtate; the king, though he entertained hopes of reaping advantage from thoſe diviſions, was much at a loſs which ſide it would be moſt for his intereſt to comply with. The preſbyterians were, by their principles, the leaſt averſe to regal authority; but were rigidly bent on the extirpation of prelacy: The independents were reſolute to lay the foundation of a republican government; but as they pretended not to erect themſelves into a national church, it might be hoped, that, if gratified with a toleration, they would admit the re-eſtabliſhment of the hierarchy. So great attachment had the king to epiſcopal juriſdiction that he was ever inclined to put it in balance even with his own power and kingly office.

BUT whatever advantage he might hope to reap from the diviſions in the parliamentary party, he was apprehenſive, leſt it ſhould come too late, to ſave him from the deſtruction with which he was inſtantly threatened. Fairfax was approaching with a powerful and victorious army, and was taking the proper meaſures for laying ſiege to Oxford, which muſt infallibly fall into his hands. To be taken captive, and led in triumph by his inſolent enemies, was what Charles juſtly abhorred; and every inſult, if not violence, was to be dreaded, from that enthuſiaſtic ſoldiery, who hated his perſon, and deſpiſed his dignity. In this deſperate extremity, he embraced a meaſure, which, in any other ſituation, might lie under the imputation of imprudence and indiſcretion.

MONTREVILLE, the French miniſter, intereſted for the king more by the natural ſentiments of humanity, than any inſtructions from his court, which ſeemed rather to favour the parliament, had ſolicited the Scottiſh generals and commiſſioners, to give protection to their diſtreſſed ſovereign; and having received many general profeſſions and promiſes, he had always tranſmitted theſe, perhaps with ſome exaggeration, to the king. From his ſuggeſtions, Charles began to entertain thoughts of leaving Oxford, and flying to the Scottiſh army, which at that time lay before Newark [z]. He conſidered, that the Scottiſh nation had been fully gratified in all their demands; and having already, in their own country, annihilated both epiſcopacy and regal authority, had no farther conceſſions to exact from him. In all diſputes, which had paſſed about ſettling the terms of peace, the

[z] Clarendon, vol. iv. p. 750. vol. v. p. 16.

Scots, he heard, had ſtill adhered to the milder ſide, and had endeavoured to ſoften the rigour of the Engliſh parliament. Great diſguſts alſo, on other accounts, had taken place between the nations; and the Scots found that, in proportion as their aſſiſtance became leſs neceſſary, leſs value was put upon them. The progreſs of the independents gave them great alarm; and they were ſcandalized to hear their beloved covenant ſpoken of, every day, with leſs regard and reverence. The refuſal of a divine right to preſbytery, and the infringing of eccleſiaſtical diſcipline from political conſiderations, were, to them, the ſubject of much offence: And the king hoped, that, in their preſent diſpoſition, the ſight of their native prince, flying to them in this extremity of diſtreſs, would rouſe every ſpark of generoſity in their boſom, and procure him their favour and protection.

THAT he might better conceal his intentions, orders were given at every gate in Oxford, for allowing three perſons to paſs; and in the night the king accompanied by none but Dr. Hudſon and Mr. Aſhburnham, went out at that gate, which leads to London. He rode before a portmanteau, and called himſelf Aſhburnham's ſervant. He paſſed through Henely, St. Albans, and came ſo near to London as Harrow on the Hill. He once entertained thoughts of entering into that city, and of throwing himſelf on the mercy of the parliament. But at laſt, after paſſing through many croſs roads, he arrived at the Scottiſh camp before Newark [a]. The parliament, hearing of his eſcape from Oxford, iſſued rigorous orders, and threatened with inſtant death whoever ſhould harbour or conceal him [b]. 5th May.

1645. King goes to the Scotch camp at Newark.

THE Scottiſh generals and commiſſioners affected great ſurprize on the appearance of the king: And though they payed him all the exterior reſpect due to his dignity they inſtantly ſet a guard upon him, under colour of protection and made him in reality a priſoner. They informed the Engliſh parliament of this unexpected incident, and aſſured them, that they had entered into no private treaty with the king. They applied to him for orders to Bellaſis, governor of Newark, to ſurrender that town, now reduced to extremity; and the orders were inſtantly obeyed. And hearing, that the parliament laid claim to the entire diſpoſal of the king's perſon, and that the Engliſh army was making ſome motions towards them; they thought proper to retire northwards, and to fix their camp at Newcaſtle [c].

THIS meaſure was very grateful to the king; and he began to entertain hopes of protection from the Scots. He was particularly attentive to the behaviour of their preachers, on whom all depended. It was the mode of

[a] Ruſh. vol. vii. p. 267. [b] Whitlocke, p. 209. [c] Ruſh. vol. vii. p. 271. Clarendon, vol. v. p. 23.

that age to make the pulpit the ſcene of news; and on every great event, the whole ſcripture was ranſacked by the clergy for paſſages applicable to the preſent occaſion. The firſt miniſter who preached before the king, choſe theſe words for his text. "And behold all the men of Iſrael came "to the king, and ſaid unto him, Why have our brethren, the men of "Judah, ſtolen thee away, and have brought the king and his houſehold, "and all David's men with him, over Jordan? And all the men of Judah "anſwered the men of Iſrael, Becauſe the king is near of kin to us; "wherefore then be ye angry for this matter? Have we eaten at all of "the king's coſt? or hath he given us any gift? And the men of Iſ- "rael anſwered the men of Judah, and ſaid, We have ten parts in the "king, and we have alſo more right in David than ye: Why then did "ye deſpiſe us, that our advice ſhould not be firſt had in bringing back "our king? And the words of the men of Judah were fiercer than the "words of the men of Iſrael [d]." But the king ſoon found, that the happineſs chiefly of the alluſion had tempted the preacher to employ this text, and that the covenanting zealots were no wiſe pacified towards him. Another preacher, after reproaching him to his face with his miſgovernment, ordered this pſalm to be ſung;

Why doſt thou, tyrant, boaſt thyſelf,
Thy wicked deeds to praiſe:

The king ſtood up, and called for that pſalm which begins with theſe words,

Have mercy, Lord, on me, I pray;
For men would me devour:

The good natured audience, in pity to fallen majeſty, ſhowed, for once, greater deference to the king than to the miniſter, and ſung the pſalm, which the former had called for [e].

CHARLES had very little reaſon to be pleaſed with his ſituation. He not only found himſelf a priſoner, very ſtrictly guarded: All his friends were kept at a diſtance; and no intercourſe, either by letters or converſation, was allowed him with any one on whom he could depend, or who was ſuſpected of any attachment towards him. The Scottiſh generals would enter into no confidence with him; and ſtill treated him with diſtant ceremony and feigned reſpect. And every propoſal, which they made him, tended farther to his abaſement and to his ruin [f].

THEY required him to iſſue orders to Oxford, and all his other garriſons, commanding their ſurrender to the parliament: And the king, ſenſible

[d] 2 Sam. chap. xix. 41, 42, and 43 verſes. See Clarendon, vol. v. p. 23, 24.
[e] Whitlocke, p. 234. [f] Clarendon, vol. v. p. 30.

that their reſiſtance was to very little purpoſe, willingly complied. The terms given to moſt of them were honourable; and Fairfax, as far as it lay in his power, was very exact in obſerving them. Far from allowing violence; he would not even permit inſults or triumph over the unfortunate royaliſts; and by his generous humanity, ſo cruel a civil war was ended, in appearance very calmly, between the parties.

ORMOND having received like orders, delivered Dublin, and other forts, into the hands of the parliamentary officers. Montroſe alſo, after having experienced ſtill more variety of good and bad fortune, threw down his arms, and retired out of the kingdom.

THE marqueſs of Worceſter, a man paſt eighty-four, was the laſt in England that ſubmitted to the authority of the parliament. He defended Raglan caſtle to extremity; and opened not its gates till the middle of Auguſt. Four years, a few days excepted, were now elapſed, ſince the king firſt erected his ſtandard at Nottingham [g]. So long had the Britiſh nations, by civil and religious quarrels, been occupied in ſhedding their own blood, and laying waſte their native country.

THE parliament and the Scots laid their propoſals before the king. They were ſuch as a captive, entirely at mercy, could expect from the moſt inexorable victor: Yet were they little worſe than what were inſiſted on before the battle of Naſeby. The power of the ſword, inſtead of ten, which the king now offered, was demanded for twenty years, together with a right to levy whatever money the parliament ſhould think proper for the ſupport of their armies. The other conditions were, in the main, the ſame with thoſe which had formerly been offered to the king [h].

CHARLES ſaid, that propoſals, which introduced ſuch important innovations in the conſtitution, demanded time for deliberation: The commiſſioners replied, that he muſt give his anſwer in ten days [i]. He deſired to reaſon about the meaning and import of ſome terms: They informed him, that they had no power of debate; and peremptorily required his conſent or refuſal. He requeſted a perſonal treaty with the parliament: They threatened, that, if he delayed compliance, the parliament would by their own authority, ſettle the nation.

WHAT the parliament was moſt intent upon, was not their treaty with the king, to whom they paid little regard; but that with the Scots. Two important points remained to be ſettled with that nation; their delivery of the king, and the eſtimation of their arrears.

THE Scots might pretend, that, as Charles was king of Scotland as well as of England, they were intitled to an equal vote in the diſpoſal of his perſon: And that, in ſuch a caſe, where the titles are equal, and the ſub-

[g] Ruſh. vol. vi. p. 293. [h] Ibid. p. 39, [i] Ibid. vol. vii. p. 319.

ject indiviſible, the preference was due to the preſent poſſeſſor. The Engliſh maintained, that the king, being in England, was comprehended within the juriſdiction of that kingdom, and could not be diſpoſed of by any foreign nation. A delicate queſtion this, and what ſurely could not be decided by precedent; ſince ſuch a ſituation is not, any where, to be found in hiſtory [k].

As the Scots concurred with the Engliſh, in impoſing ſuch ſevere conditions on the king, that, notwithſtanding his unfortunate ſituation, he ſtill refuſed to accept of them; it is certain, that they did not deſire his freedom: Nor could they ever intend to join lenity and rigour together, in ſo inconſiſtent a manner. Before the ſettlement of terms, the adminiſtration muſt be poſſeſſed entirely by the parliaments of both kingdoms; and how incompatible that ſcheme with the liberty of the king, is eaſily imagined. To carry him a priſoner into Scotland, where few forces could be ſupported to guard him, was a meaſure ſo full of inconvenience and danger, that, even if the Engliſh had conſented to it, it muſt have appeared to the Scots themſelves altogether uneligible: And how could ſuch a plan be ſupported in oppoſition to England, poſſeſſed of ſuch numerous and victorious armies, which were, at that time, at leaſt ſeemed to be, in entire union with the parliament? The only expedient, it is obvious, which the Scots could embrace, if they ſcrupled wholly to abandon the king, was immediately to return, fully and cordially, to their allegiance; and, uniting themſelves with the royaliſts in both kingdoms, endeavour by force of arms, to reduce the Engliſh parliament to more moderate conditions: But beſides that this meaſure was full of extreme hazard; what was it but inſtantly to combine with their old enemies againſt their old friends; and, in a fit of romantic generoſity, overturn what, with ſo much expence of blood and treaſure, they had, during the courſe of ſo many years, been ſo carefully erecting?

BUT, though all theſe reflections occurred to the Scottiſh commiſſioners, they reſolved to prolong the diſpute, and to keep the king as a pledge for thoſe arrears which they claimed from England, and which they were not likely, in the preſent diſpoſition of that nation, to obtain by any other expedient. The ſum, by their account, amounted to near two millions: For they had received little regular pay ſince they had entered England. And though the contributions which they had levied, as well as the price of their living at free quarters, muſt be deducted; yet ſtill the ſum, which they inſiſted on, was very conſiderable. After many diſcuſſions, it was, at laſt, agreed, that, in lieu of all demands, they ſhould accept of 400,000 pounds, one half to be paid inſtantly, another in two ſubſequent payments [l].

GREAT pains were taken by the Scots (and the Engliſh complied with

[k] Ruſh. vol. vii. p. 339. [l] Ruſh. vol. vii. p. 326. Parl. Hiſt. vol. xv. p. 236.

their pretended delicacy) to make this eſtimation and payment of arrears appear a quite different tranſaction from that for the delivery of the king's perſon: But common ſenſe requires, that they ſhould be regarded as one and the ſame. The Engliſh, it is evident, had they not been previouſly aſſured of receiving the king, would never have parted with ſo conſiderable a ſum; and, while they weakened themſelves, by the ſame meaſure have ſtrengthened a people, with whom they muſt afterwards have ſo material an intereſt to diſcuſs.

THUS the Scottiſh nation underwent, and ſtill undergo (for ſuch grievous ſtains are not eaſily wiped off), the reproach of ſelling their king, and betraying their prince for money. In vain, did they maintain, that this money, was, on account of former ſervices, undoubtedly their due; that in their preſent ſituation, no other meaſure, without the utmoſt indiſcretion, or even their apparent ruin, could be embraced; and that, though they delivered their king into the hands of his open enemies, they were themſelves as much his open enemies as thoſe to whom they ſurrendered him, and their common hatred againſt him had long united the two parties in ſtrict alliance with each other. They were ſtill anſwered, that they made uſe of this ſcandalous expedient for obtaining their wages; and that, after taking arms, without any provocation, againſt their ſovereign, who had ever loved and cheriſhed them, they had deſervedly fallen into a ſituation, from which they could not extricate themſelves, without either infamy or imprudence.

THE infamy of this bargain had ſuch an influence on the Scottiſh parliament, that they once voted, that the king ſhould be protected, and his liberty inſiſted on. But the general aſſembly interpoſed, and pronounced, that, as he had refuſed to take the covenant, which was preſſed on him, it became not the godly to concern themſelves about his fortunes. After this declaration, it behoved the parliament to retract their vote [m].

INTELLIGENCE concerning the final reſolution of the Scottiſh nation to ſurrender him, was brought to the king; and he happened, at that very time, to be playing at cheſs [n]. Such command of temper did he poſſeſs, that he continued his game without interruption; and none of the by-ſtanders could perceive, that the letter, which he peruſed, had brought him news of any conſequence. The Engliſh commiſſioners, who, ſome days after, came to take him under their cuſtody, were admitted to kiſs his hands; and he received them with the ſame grace and cheerfulneſs, as if they had travelled on no other errand than to pay court to him. The old earl of Pembroke in particular, who was one of them, he congratulated on his ſtrength and vigour, that he was ſtill able, during ſuch a ſeaſon, to perform ſo long a journey, in company with ſo many young people.

[m] Parl. Hiſt. vol. xv. p. 243, 244.

[n] Burnet's Memoirs of the Hamiltons.

1647. King delivered up by the Scots

THE king, being delivered over by the Scots to the Engliſh commiſſioners, was conducted, under a guard, to Holdenby, in the county of Northampton. On his journey, the whole country flocked to behold him, moved partly by curioſity, partly by compaſſion and affection. If any ſtill retained rancour againſt him, in his preſent condition, they paſſed in ſilence; while his well-wiſhers, more generous than prudent, accompanied his march with tears, with acclamations, and with prayers for his ſafety [o]. That ancient ſuperſtition likewiſe, of deſiring the king's touch in ſcrophulous diſtempers ſeemed to acquire freſh credit among the people, from the general tenderneſs, which began to prevail for this virtuous and unhappy monarch.

THE commiſſioners rendered his confinement at Holdenby very rigorous; diſmiſſing his ancient ſervants, debarring him from viſits, and cutting off all communication with his friends or family. The parliament, though earneſtly applied to by the king, refuſed to allow his chaplains to attend him, becauſe they had not taken the covenant. The king refuſed to aſſiſt at the ſervice exerciſed according to the directory; becauſe he had not, as yet, given his conſent to that mode of worſhip [p]. Such religious zeal prevailed on both ſides! And ſuch was the unhappy and diſtracted condition to which it had reduced king and people!

DURING the time that the king remained in the Scottiſh army at Newcaſtle, died the earl of Eſſex, the diſcarded, but ſtill powerful and popular general of the parliament. His death, in this conjuncture, was a public misfortune. Fully ſenſible of the exceſſes to which affairs had been carried, and of the worſe conſequences which were ſtill to be apprehended, he had reſolved to conciliate a peace, and to remedy, as far as poſſible, all thoſe ills, to which, from miſtake, rather than any bad intentions, he had himſelf ſo much contributed. The preſbyterian, or the moderate party among the commons, found themſelves conſiderably weakened by his death: And the ſmall remains of authority which ſtill adhered to the houſe of peers, were, in a manner, wholly extinguiſhed [q].

[o] Ludlow, Herbert. [p] Clarendon, vol. v. p. 39. Warwick, p. 298.
[q] Clarendon, vol. v. p. 43.

CHAP. LIX.

Mutiny of the army——The king ſeized by Joyce——The army march againſt the parliament——The army ſubdue the parliament——The king flies to the Iſle of Wight——Second civil war—Invaſion from Scotland——The treaty of Newport——The civil war and invaſion repreſſed——The king ſeized again by the army—The houſe purged——The king's trial——And execution——and character.

THE dominion of the parliament was of ſhort duration. 1647.
No ſooner had they ſubdued their ſovereign, than their own ſervants roſe againſt them, and tumbled them from their ſlippery throne. The ſacred boundaries of the laws being once violated, nothing remained to confine the wild projects of zeal and ambition. And every ſucceſſive revolution became a precedent for that which followed it.

IN proportion as the terror of the king's power diminiſhed, the diviſion between independent and preſbyterian became every day more apparent; and the neuters found it, at laſt, requiſite to ſeek ſhelter in one or the other faction. Many new writs were iſſued for elections, in the room of members who had died, or were diſqualified by adhering to the king; yet ſtill the preſbyterians retained the ſuperiority among the commons: And all the peers, except Lord Say, were eſteemed of that party. The independents, to whom the inferior ſectaries adhered, predominated in the army: And the troops of the new model were univerſally infected with that enthuſiaſtic ſpirit. To their aſſiſtance did the independent party, among the commons, chiefly truſt in their projects for acquiring the aſcendant over their antagoniſts.

SOON after the retreat of the Scots, the preſbyterians, ſeeing every thing reduced to obedience, began to talk of diminiſhing the army: And on pretence of eaſing the public burthens, they levelled a deadly blow at the oppoſite faction. They purpoſed to embark a ſtrong detachment, under Skippon and Maſſey for the ſervice of Ireland: They openly declared their intention of making a great reduction of the remainder[r]. It was even imagined, that another new model of the army was projected, in order to regain to the preſbyterians that ſuperiority which they had ſo imprudently loſt by the former[s].

THE army had ſmall inclination to the ſervice of Ireland; a country barbarous, uncultivated, and laid waſte by maſſacres and civil commotions;

r Fourteen thouſand men were only intended to be kept up, 6000 horſe, 6000 foot, and 2000 dragoons. Bates.

s Ruſh. vol. vii. p. 564.

They had leſs inclination to diſband, and to renounce that pay, which, having earned it through fatigues and dangers, they now purpoſed to enjoy in eaſe and tranquillity. And moſt of the officers, having ariſen from the dregs of the people, had no other proſpect, if deprived of their commiſſion, than that of returning to languiſh in their native poverty and obſcurity.

THESE motives of intereſt acquired additional influence, and became more dangerous to the parliament, from the religious ſpirit by which the army was univerſally actuated. Among the generality of men, educated in regular, civilized ſocieties, the ſentiments of ſhame, duty, honour, have conſiderable authority, and ſerve to counterbalance and direct the motives derived from private advantage: But, by the predominancy of enthuſiaſm among the parliamentary forces, theſe ſalutary principles loſt their credit, and were regarded as mere human inventions, yea, moral inſtitutions, fitter for heathens than for chriſtians [t]. The ſaint reſigned over to ſuperior guidance, was at full liberty to gratify all his appetites, diſguiſed under the appearance of pious zeal. And, beſides the ſtrong corruptions engendered by this ſpirit, it eluded and looſened all the ties of morality, and gave entire ſcope, and even ſanction, to the ſelfiſhneſs and ambition which naturally adhere to the human mind.

The military confeſſors were farther encouraged in diſobedience to ſuperiors, by that ſpiritual pride to which a miſtaken piety is ſo ſubject. They were not, they ſaid, mere janizaries: mercenary troops inliſted for hire, and to be diſpoſed of at the will of their pay-maſters [u]. Religion and liberty were the motives which had excited them to arms; and they had a ſuperior right to ſee thoſe bleſſings, which they had purchaſed with their blood, enſured to future generations. By the ſame title that the preſbyterians, in contradiction to the royaliſts, had appropriated to themſelves the epithet of *godly*, or the *well affected* [w], the independents did now, in contradiſtinction to the preſbyterians, aſſume this magnificent appellation, and arrogate all the aſcendant which naturally belongs to it.

HEARING of parties in the houſe of commons, and being informed that the minority were friends to the army, the majority enemies; the troops naturally intereſted themſelves in that dangerous diſtinction, and were eager to give the ſuperiority to their partizans. Whatever hardſhips they underwent, though perhaps derived from inevitable neceſſity, were aſcribed to a ſettled deſign of oppreſſing them, and reſented as an effect of the animoſity and malice of their adverſaries.

NOTWITHSTANDING the great revenue, which accrued from taxes, aſſeſſments, ſequeſtrations, and compoſitions, conſiderable arrears were due to the army; and many of the private men, as well as officers, had near a twelve month's pay ſtill owing them. The army ſuſpected, that this

[t] Ruſh. vol. vi. p. 134. [u] Ibid. vol. vii. p. 565. [w] Ibid. vol. vii. p. 474.

deficiency was purpoſely contrived in order to oblige them to live at free quarters; and, by rendering them odious to the country, ſerve as a pretence for diſbanding them. When they ſaw ſuch members, as were employed in committees and civil offices, accumulate fortunes, they accuſed them of rapine and public plunder. And, as no plan was pointed out by the commons for the payment of arrears, the ſoldiers dreaded, that after they ſhould be diſbanded or embarked for Ireland, their enemies, who predominated in the two houſes, would entirely defraud them of their right, and oppreſs them with impunity.

1647. Mutiny of the army.

On this ground or pretence did the firſt commotions begin in the army. A petition, addreſſed to Fairfax the general, was handed about; craving an indemnity, and that ratified by the king, for any illegal actions, of which, during the courſe of the war, the ſoldiers might have been guilty; together with ſatisfaction in arrears, freedom from preſſing, relief of widows and maimed ſoldiers, and pay till diſbanded [x]. The commons, aware of what combuſtible materials the army was compoſed, were alarmed at this intelligence. Such a combination, they knew, if not checked in its firſt appearance, muſt be attended with the moſt dangerous conſequences, and muſt ſoon exalt the military above the civil authority. Beſides ſummoning ſome officers to anſwer for this attempt, they immediately voted, that the petition tended to introduce mutiny, to put conditions upon the parliament, and to obſtruct the relief of Ireland; and they threatened to proceed againſt the promoters of it, as enemies to the ſtate, and diſturbers of public peace [y]. This declaration, which may be deemed violent, eſpecially as the army had ſome ground for complaint, produced fatal effects. The ſoldiers lamented, that they were deprived of the privileges of Engliſhmen; that they were not allowed ſo much as to repreſent their grievances; that, while petitions from Eſſex and other places were openly encouraged againſt the army, their mouths were ſtopped; and that they, who were the authors of liberty to the nation, were reduced, by a faction in parliament, to the moſt grievous ſervitude.

March 30.

In this diſpoſition was the army found by Warwic, Dacres, Maſſey, and other commiſſioners; who were ſent to make them propoſals for entering into the ſervice of Ireland [z]. Inſtead of inliſting, the generality objected to the terms; demanded an indemnity; were clamorous for their arrears: And, though they expreſſed no diſſatisfaction againſt Skippon, who was appointed commander, they diſcovered much ſtronger inclination to ſerve under Fairfax and Cromwel [a]. Some officers who were of the preſbyterian party, having entered into engagements for this ſervice,

[x] Parl. Hiſt. vol. xv. p. 342. [y] Parl. Hiſt. vol. xv. p. 344. [z] Ruſh. vol. vii. p. 457. [a] Ibid. vol. vii. p. 458.

could prevail on very few of the ſoldiers to inliſt under them. And, as theſe officers lay all under the grievous reproach of deſerting the army, and betraying the intereſts of their companions; the reſt were farther confirmed in that confederacy, which they had ſecretly formed [b].

To petition and remonſtrate being the moſt cautious method of conducting a confederacy, an application to parliament was ſigned by near 200 officers; in which they made their apology with a very imperious air, aſſerted their right of petitioning, and complained of that imputation thrown upon them by that former declaration of the lower houſe [c]. The private men likewiſe of ſome regiments ſent a letter to Skippon; in which, together with inſiſting on the ſame topics, they lament, that deſigns were formed againſt them and many of the godly party in the kingdom; and declare, that they could not engage for Ireland, till they were ſatisfied in their expectations, and had their juſt deſires granted [d]. The army, in a word, felt their power and reſolved to be maſters.

THE parliament too reſolved, if poſſible, to preſerve their dominion; but being deſtitute of power, and not retaining much authority, it was not eaſy for them to employ any expedient, which could contribute to their purpoſe. The expedient, which they now made uſe of, was the worſt imaginable. They ſent Skippon, Cromwel, Ireton, and Fleetwood, to the head-quarters at Saffron-Weldon in Eſſex; and empowered them to make offers to the army, and enquire into the cauſe of its *diſtempers*. Theſe very generals, at leaſt the three laſt, were ſecretly the authors of all the diſcontents; and failed not to foment theſe diſorders which they pretended to appeaſe. By their ſuggeſtion, a meaſure was embraced, which, at once, brought matters to extremity, and rendered the mutiny incurable.

1647. 7th May.

IN oppoſition to the parliament at Weſtminſter, a military parliament was formed. Together with a council of the principal officers, which was appointed after the model of the houſe of peers; a more free repreſentative of the army was compoſed, by the election of two private men or inferior officers, under the title of agitators, from each troop or company [e]. By this means, both the general humour of that time was gratified, intent on plans of imaginary republics; and an eaſy method contrived for conducting underhand, and propagating the ſedition of the army.

THIS terrible court, when aſſembled; having firſt declared, that they found no *diſtempers* in the army, but many *grievances*, under which it laboured; immediately voted the offers of the parliament unſatisfactory. Eight weeks' pay alone, they ſaid, was promiſed; a ſmall part of fifty-ſix

[b] Ruſh. vol. vii. p. 461. 556. [c] Idem, Ibid. p. 468. [d] Idem, Ibid. p. 472. [e] Idem. Ibid. p. 485. Clarendon, vol. v. p. 43.

weeks, which they claimed as their due: No viſible ſecurity was given for the remainder. And having been declared public enemies by the commons, they might hereafter be proſecuted as ſuch, unleſs the declaration were recalled [f]. Before matters came to this height, Cromwel had poſted up to London, on pretence of laying before the parliament the riſing diſcontents of the army.

THE parliament made one vigorous effort more, to try the force of their authority: They voted that all the troops, which did not engage for Ireland, ſhould inſtantly be diſbanded in their quarters [g]. At the ſame time, the council of the army ordered a general rendezvous of all the regiments, in order to provide for their common intereſts. And while they thus prepared themſelves for oppoſition to the parliament, they ſtruck a blow, which at once decided the victory in their favour.

1647. 3d June. The king ſeized by Joyce.

A PARTY of five hundred horſe appeared at Holdenby, conducted by one Joyce, who had once been a taylor by profeſſion; but was now advanced to the rank of cornet, and was an active agitator in the army. Without being oppoſed by the guard, whoſe affections were all on their ſide; Joyce came into the king's preſence, armed with piſtols, and told him, that he muſt immediately go along with him. *Whither?* ſaid the king. *To the army*; replied Joyce. *By what warrant?* aſked the king. Joyce pointed to the ſoldiers, whom he brought along; tall, handſome, and well accoutred. *Your warrant*, ſaid Charles ſmiling, *is writ in fair characters, legible without ſpelling* [h]. The parliamentary commiſſioners came into the room: They aſked Joyce, whether he had any orders from the parliament? He ſaid, *No:* From the general? *No*: By what authority he came? He made the ſame reply as to the king; *They would write*, they ſaid, *to the parliament to know their pleaſure. You may do ſo*, replied Joyce: *but in the mean time the king muſt immediately go with me.* Reſiſtance was vain. The king, after protracting the time as long as he could, went into his coach; and was ſafely conducted to the army, who were haſtening to their rendezvous at Triplo-Heath, near Cambridge. The parliament, informed of this event by their commiſſioners, were thrown into the utmoſt conſternation [i].

FAIRFAX himſelf was no leſs ſurprized at the king's arrival. That bold meaſure, executed by Joyce, had never been communicated to the general. The orders were entirely verbal; and no body avowed them. And, while every one affected aſtoniſhment at the enterprize, Cromwel, by whoſe counſel it had been directed, arrived from London, and put an end to their deliberations.

[f] Ruſh. vol. vii. p. 497. 505. Whitlocke, p. 250. [g] Ruſh. vol. vii. p. 487.
[h] Whitlocke, p. 254. Warwic p. 299. [i] Ruſh. vol. vii. p. 514, 515. Clarendon, vol. v. p. 47.

THIS artful and audacious conſpirator had conducted himſelf in the parliament with ſuch profound diſſimulation, with ſuch refined hypocriſy, that he had long deceived thoſe, who, being themſelves very dextrous practitioners in the ſame arts, ſhould naturally have entertained the more ſuſpicion againſt others. At every intelligence of diſorders in the army, he was moved to the higheſt pitch of grief and of anger. He wept bitterly: He lamented the misfortunes of his country: He adviſed every violent meaſure for ſuppreſſing the mutiny; and by theſe precipitate counſels, at once ſeemed to evince his own ſincerity, and inflamed thoſe diſcontents, of which he intended to make advantage. He obteſted heaven and earth, that his devoted attachment to the parliament had rendered him ſo odious in the army, that his life, while among them, was in the utmoſt danger; and he had very narrowly eſcaped a conſpiracy, formed to aſſaſſinate him. But information being brought, that the moſt active officers and agitators were entirely his creatures, the parliamentary leaders ſecretly reſolved, that, next day, when he ſhould come to the houſe, an accuſation ſhould be entered againſt him, and he ſhould be ſent to the Tower[k]. Cromwel, who in the conduct of his deſperate enterprizes, frequently approached to the very brink of deſtruction, knew how to make the requiſite turn with proper dexterity and boldneſs. Being informed of this deſign, he haſtened to the camp; where he was received with acclamations, and was inſtantly inveſted with the ſupreme command, both of general and army.

FAIRFAX, having neither talents himſelf for cabal, nor penetration to diſcover the cabals of others, had given his entire confidence to Cromwel; who, by the beſt coloured pretences, and by the appearance of an open ſincerity and a ſcrupulous conſcience, impoſed on the eaſy nature of this brave and virtuous man. The council of officers and the agitators were moved altogether by Cromwel's direction, and conveyed his will to the whole army. By his profound and artful conduct, he had now attained a ſituation, where he could cover his enterprizes from public view; and ſeeming either to obey the commands of his ſuperior officer, or yield to the movements of the ſoldiers, could ſecretly pave the way for his future greatneſs. While the diſorders of the army were yet in their infancy, he kept at a diſtance; leſt his counterfeit averſion might throw a damp upon them, or his ſecret encouragement beget ſuſpicion in the parliament. As ſoon as they came to maturity, he openly joined the troops; and in the critical moment, ſtruck that important blow of ſeizing the king's perſon, and depriving the parliament of any reſource of an accommodation with him. Though one vizor fell off, another ſtill remained to cover his natural countenance. Where delay was requiſite, he could employ the moſt indefatigable patience: Where celerity was neceſſary, he flew to a deci-

[k] Clarendon, vol. v. p. 46.

sion. And by thus uniting in his person the most opposite talents, he was enabled to combine the most contrary interests in a subserviency to his secret purposes.

THE parliament, though at present defenceless, was possessed of many resources; and time might easily enable them to resist that violence, with which they were threatened. Without farther deliberation, therefore, Cromwel advanced the army upon them, and arrived in a few days at St. Albans. 1647. The army march against the parliament.

NOTHING could be more popular, than this hostility which the army commenced against the parliament. As much as that assembly was once the idol of the nation, as much was it now become the object of general hatred and aversion.

THE self-denying ordinance had no longer been put in execution, than till Essex, Manchester, Waller, and the other officers of that party, had resigned their commission: Immediately after, it was laid aside by tacit consent; and the members, sharing all offices of power and profit among them, proceeded with impunity in exercising acts of oppression on the helpless nation. Though the necessity of their situation might serve as an apology for many of their measures, the people, not accustomed to such a species of government, were not disposed to make the requisite allowances.

A SMALL supply of 100,000 pounds a year could never be obtained by former kings from the jealous humour of parliaments; and the English, of all nations in Europe, were the least accustomed to taxes: But this parliament, from the commencement of the war, according to some computations, had levied, in five years above forty millions [l]; yet were loaded with debts and incumbrances, which, during that age, were regarded as prodigious. If these computations should be thought much exaggerated, as they probably are [m], the taxes and impositions were certainly far higher than in any former state of the English government; and such popular exaggerations are, at least, a proof of popular discontents.

BUT the disposal of this money was no less the object of general complaint against the parliament than the levying of it. The sum of 300,000 pounds they openly took, 'tis affirmed [n], and divided among their own members. The committees, to whom the management of the different branches of revenue was entrusted, never brought in their accounts, and had

[l] Clement Walker's history of the two Juntos, prefixed to his History of Independency, p. 8. This is an author of spirit and ingenuity; and being a zealous parliamentarian, his authority is very considerable, notwithstanding the air of satire which prevails in his writings. This computation, however, seems much too large; especially as the sequestrations, during the time of war, could not be so considerable as afterwards.

[m] Yet the same sum precisely is assigned in another book, called Royal Treasury of England, p. 197. [n] Clement Walker's History of Independency, p. 3. 166.

unlimited power of ſecreting whatever ſums they pleaſed from the public treaſure [o]. Theſe branches were needleſsly multiplied, in order to render the revenue more intricate, to ſhare the advantages among greater numbers, and to conceal the frauds, of which they were univerſally ſuſpected [p].

THE method of keeping accounts, practiſed in the exchequer, was confeſſedly the exacteſt, the moſt ancient, the beſt known, and the leaſt liable to fraud. The exchequer was for that reaſon aboliſhed, and the revenue put under the management of a committee, who were ſubject to no controul [q].

THE exciſe was an odious tax, formerly unknown to the nation; and was now extended over proviſions, and the common neceſſaries of life. Near one half of the goods and chattels, and at leaſt one half of the lands, rents, and revenues of the kingdom, had been ſequeſtered. To great numbers of royaliſts, all redreſs from theſe ſequeſtrations was refuſed: To the reſt, the remedy could be obtained only by paying large compoſitions and ſubſcribing the covenant, which they abhorred. Beſides pitying the ruin and deſolation of ſo many ancient and honourable families; indifferent ſpectators could not but blame the hardſhip of puniſhing with ſuch ſeverity, actions which the law, in its uſual and moſt undiſputed interpretation, ſtrictly required of every ſubject.

THE ſeverities too, exerciſed againſt the epiſcopal clergy, naturally affected the royaliſts, and even all men of candor in a ſenſible manner. By the moſt moderate computation [r], it appears, that above one half of the eſtabliſhed clergy had been turned out to beggary and want, for no other crime, than their adhering to the civil and religious principles, in which they had been educated; and for their attachment to thoſe laws, under whoſe countenance they had at firſt embraced that profeſſion. To renounce epiſcopacy and the liturgy, and to ſubſcribe the covenant, were the only terms which could ſave them from ſo rigorous a fate; and if the leaſt mark of malignancy, as it was called, or affection to the king, who ſo entirely loved them, had ever eſcaped their lips, even this hard choice was not permitted. The ſacred character, which gives the prieſthood ſuch authority over mankind, becoming more venerable from their ſufferings, endured for the ſake of principle, by theſe diſtreſſed royaliſts, aggravated the general indignation againſt their perſecutors.

BUT what excited the moſt univerſal complaint was the unlimited tyranny and deſpotic rule of the country-committees. During the war, the

[o] Clement Walker's Hiſtory of Independency, p. 8. [p] Idem, ibid. [q] Idem, ibid.

[r] See John Walker's attempt towards recovering an Account of the Numbers and Sufferings of the clergy. The parliament pretended to leave the ſequeſtered clergy a fifth of their revenue; but this author makes it ſufficiently appear, that this proviſion ſmall as it is, was never regularly paid the ejected clergy.

discretionary power of these courts was excused, from the plea of necessity: But the nation was reduced to despair, when it saw neither end put to their duration, nor bounds to their authority. These could sequester, fine, imprison, and corporally punish, without law or remedy. They interposed in questions of private property. Under colour of malignancy, they exercised vengeance against their private enemies. To the obnoxious, and sometimes to the innocent, they sold their protection. And instead of one star-chamber, which had been abolished, a great number were anew erected, fortified with better pretences, and armed with more unlimited authority [s].

COULD any thing have increased the indignation against that slavery, into which the nation, from the too eager pursuit of liberty, had fallen, it must have been the reflection on the pretences, by which the people had so long been deluded. The sanctified hypocrites, who called their oppressions the spoiling of the Egyptians, and their rigid severity the dominion of the Elect, interlarded all their iniquities with long and fervent prayers, saved themselves from blushing by their pious grimaces, and exercised, in the name of the Lord, all their cruelty on men. An undisguised violence could be forgiven: But such a mockery of the understanding, such an abuse of religion, were, with men of penetration, objects of peculiar resentment.

THE parliament, conscious of their decay in popularity, seeing a formidable armed force advance upon them, were reduced to despair, and found all their resources much inferior to the present necessity. London still retained a strong attachment to presbyterianism; and its militia, which was numerous, and had acquired reputation in the wars, had, by a late ordinance, been put into hands, in whom the parliament could entirely confide. This militia was now called out, and ordered to guard the lines, which had been drawn round the city, in order to secure it against the king. A body of horse was ordered to be instantly levied. Many officers, who had been cashiered by the new model of the army, offered their service to the parliament. An army of 5000 men lay in the north under the command of general Pointz, who was of the presbyterian faction; but these were too distant to be employed in so urgent a necessity. The forces, destined for Ireland, were quartered in the west; and, though deemed faithful to the parliament, they also lay at a distance. Many inland garrisons were commanded by Officers of the same party; but their troops, being so much dispersed, could at present be

[s] Clement Walker's History of Independency, p. 5. Hollis gives the same representation, as Walker, of the plundering, oppressions, and tyranny of the parliament: Only instead of laying the fault on both parties, as Walker does, he ascribes it solely to the independent faction. The presbyterians, indeed being commonly denominated the *moderate* party, would probably be more inoffensive. See Rush. vol. vii. p. 598, and Parl. Hist. vol. xv. p. 230.

of no manner of ſervice. The Scots were faithful friends and zealous for preſbytery and the covenant; but a long time was required, ere they could collect their forces, and march to the aſſiſtance of the parliament.

1645. 8th June. IN this ſituation it was thought more prudent to ſubmit, and by compliance ſtop the fury of the enraged army. The declaration, by which the military petitioners had been voted public enemies, was recalled, and erazed from the journal book [t]. This was the firſt ſymptom, which the parliament gave of ſubmiſſion; and the army, hoping, by terror alone, to effect all their purpoſes, ſtopped at St Albans, and entered into negociation with their maſters.

HERE commenced the encroachments of the military upon the civil authority. The army, in their uſurpations on the parliament, copied exactly the model, which the parliament itſelf had ſet them, in their recent uſurpations on the crown.

EVERY day, they roſe in their demands. If one claim was granted, they had another ready, ſtill more enormous and exorbitant; and were determined never to be ſatisfied. At firſt, they pretended only to petition for what concerned themſelves as ſoldiers; Next, they muſt have a vindication of their character; Then, it was neceſſary, that their enemies be puniſhed [u]: At laſt, they claimed a right of modelling the whole government, and ſettling the nation [w].

THEY preſerved, in words, all deference and reſpect to the parliament; but, in reality, inſulted them and tyrannized over them. That aſſembly, they pretended not to accuſe: It was only evil counſellors, who ſeduced and betrayed it.

16th June. THEY proceeded ſo far as to name eleven members, whom, in general terms, they charged with high treaſon, as enemies to the army and evil counſellors to the parliament. Their names were Hollis, Sir Philip Stapleton, Sir William Lewis, Sir John Clotworthy, Sir William Waller, Sir John Maynard, Maſſey, Glyn, Long, Harley, and Nicholas [x]. Theſe were the very leaders of the preſbyterian party.

THEY inſiſted, that theſe members ſhould immediately be ſequeſtered from parliament, and be thrown into priſon [y]. The commons replied, that they could not, upon a general charge, proceed ſo far [z]. The army obſerved to them, that the caſes of Strafford and Laud were direct precedents for that purpoſe [a]. At laſt, the eleven members themſelves, not to give occaſion, for diſcord, begged leave to retire from the houſe; and the army, for the preſent, ſeemed ſatisfied with this mark of ſubmiſſion [b].

[t] Ruſh. vol. vii. p. 503, 547. Clarendon, vol v p. 45. [u] Ruſh. vol. vii p. 509.
[w] Ibid. vol. vii. p. 567. 633. Ibid. vol. viii. p. 731. [x] Ruſh. vol. vii. p. 570.
[y] Ibid. vol. vii. p. 572. [z] Ibid. vol. vii. p. 592. [a] Ibid. vol. vii. p. 593. Whitlocke, p. 529.
[b] Ibid. vol vii. p. 593, 594.

PRETENDING that the parliament intended to levy war upon them, and to involve the nation again in blood and confuſion, they required that all the new levies ſhould be ſtopped. The parliament complied with this demand [c].

THERE being no ſigns of reſiſtance, the army, in order to ſave appearances, removed, at the deſire of the parliament, to a greater diſtance from London, and fixed their head-quarters at Reading. They carried the king along with them in all their marches.

THAT prince now found himſelf in a better ſituation than at Holdenby, and had attained ſome greater degree of freedom, as well as of conſideration with both parties.

ALL his friends had acceſs to his preſence: His correſpondence with the queen was not interrupted: His chaplains were reſtored to him, and he was allowed the uſe of the liturgy: His children were once allowed to viſit him, and they paſſed a few days at Caverſham, where he then reſided [d]. He had not ſeen the duke of Glouceſter, his youngeſt ſon, and the princeſs Elizabeth, ſince he left London, at the commencement of the civil diſorders [e]; nor the duke of York, ſince he went to the Scottiſh army before Newark. No private man, unacquainted with the pleaſures of a court, and the tumult of a camp, more paſſionately loved his family than did this good prince; and ſuch an inſtance of indulgence in the army was extremely grateful to him. Cromwel, who was witneſs to the meeting of the royal family, confeſſed, that he never had been preſent at ſo tender a ſcene; and he extremely applauded the benignity which diſplayed itſelf in the whole diſpoſition and behaviour of Charles.

THAT artful politician, as well as the leaders of all parties, payed court to the king; and fortune, notwithſtanding all his calamities, ſeemed again to ſmile upon him. The parliament, afraid of his forming ſome accomodation with the army, addreſſed him in a more reſpectful ſtyle than formerly; and invited him to reſide at Richmond, and contribute his aſſiſtance to the ſettlement of the nation. The chief officers treated him with regard, and ſpake on all occaſions of reſtoring him to his juſt powers and prerogatives. In the public declarations of the army, the ſettlement of his revenue and authority was inſiſted on [f]. The royaliſts, every where, entertained hopes of the reſtoration of monarchy; and the favour, which they univerſally bore to the army, contributed very much to diſcourage the parliament, and to forward their ſubmiſſion.

THE king began to feel of what conſequence he was. The more the national confuſions encreaſed, the more was he confident, that all parties

[c] Ruſh. vol. vii p. 572. 574 [d] Clarendon, vol. i. p. 51, 52. 57. [e] When the king applied to have his children, the parliament always told him, that they could take as much care at London, both of their bodies and ſouls, as could be done at Oxford. Parl. Hiſt. vol. xiii. p. 127. [f] Ruſh. vol. vii. p. 590.

would, at length, have recourſe to his lawful authority as the only remedy for the public diſorders. *You cannot be without me*, ſaid he on ſeveral occaſions: *You cannot ſettle the nation but by my aſſiſtance.* A people without government and without liberty, a parliament without authority, an army without a legal maſter: Diſtractions every where, terrors, oppreſſions, convulſions: From this ſcene of confuſion, which could not long continue, all men he hoped, would be brought to reflect, on that ancient government, under which they and their anceſtors had ſo long enjoyed happineſs and tranquillity.

THOUGH Charles kept his ears open to all propoſals, and expected to hold the balance between the oppoſite parties he entertained more hopes of accommodation with the army. He had experienced the extreme rigour of the parliament. They pretended totally to annihilate his authority: They had confined his perſon. In both theſe particulars the army ſhowed more indulgence [g]. He had a free intercourſe with his friends. And in the propoſals, which the council of officers ſent for the ſettlement of the nation, they inſiſted neither on the abolition of epiſcopacy, nor on the puniſhment of the royaliſts; the two points to which the king had the moſt extreme reluctance: And they demanded, that a period ſhould be put to the preſent parliament, the event for which he moſt ardently longed.

HIS conjunction too ſeemed more natural with the generals, than with that uſurping aſſembly, who had ſo long aſſumed the entire ſovereignty of the ſtate, and who had declared their reſolution ſtill to continue maſters. By gratifying a few perſons with titles and preferments, he might draw over, he hoped the whole military power, and in an inſtant reinſtate himſelf in his civil authority. To Ireton he offered the lieutenancy of Ireland: To Cromwel, the garter, the title of earl of Eſſex, and the command of the army: Negociations to this purpoſe were ſecretly conducted. Cromwel pretended to hearken to them; and was well pleaſed to keep the door open for an accommodation, if the courſe of events ſhould, at any time, render it neceſſary. And the king, who had no ſuſpicion, that one, born a private gentleman, could entertain the daring ambition of ſeizing a ſceptre, tranſmitted through a long line of monarchs; indulged hopes that he would at laſt embrace a meaſure, which by all the motives of duty, intereſt, and ſafety, ſeemed to be recommended to him.

WHILE Cromwel allured the king by theſe expectations, he ſtill continued his ſcheme of reducing the parliament to ſubjection, and depriving them of all means of reſiſtance. To gratify the army, the parliament inveſted Fairfax with the title of general in chief of all the forces in England and Ireland; and entruſted the whole military authority to a perſon, who, though well inclined to their ſervice, was no longer at his own diſpoſal.

[g] Warwick, p. 303. Parl. Hiſt. vol. xvi. p. 40. Clarendon, vol. v p. 50.

THEY voted that the troops which, in obedience to them, had inliſted for Ireland, and deſerted the rebellious army, ſhould be diſbanded, or, in other words, be puniſhed for their fidelity. The forces in the north, under Pointz, had already mutinied againſt their general, and had entered into an aſſociation with that body of the army, which was ſo ſucceſsfully employed in exalting the military above the civil authority [h].

THAT no reſource might remain to the parliament, it was demanded, that the militia of London ſhould be changed, the preſbyterian commiſſioners diſplaced, and the command reſtored to thoſe, who, during the courſe of the war, had conſtantly exerciſed it. The parliament even complied with ſo violent a demand, and paſſed a vote in obedience to the army [i].

BY this unlimited patience they purpoſed to temporize under their preſent difficulties, and they hoped to find a more favourable opportunity for recovering their authority and influence: But the impatience of the city loſt them all the advantage of their cautious meaſures. A petition againſt the alteration of the militia was carried to Weſtminſter, attended by the apprentices and ſeditious multitude, who beſieged the door of the houſe of commons; and by their clamour, noiſe, and violence, obliged them to reverſe that vote, which they had paſſed ſo lately. When gratified in this pretenſion, they immediately diſperſed, and left the parliament at liberty [k]. 1647. 20th July

No ſooner was intelligence of this tumult conveyed to Reading, than the army was put in motion. The two houſes being under reſtraint, they were reſolved, they ſaid, to vindicate, againſt the ſeditious citizens, the invaded privileges of parliament, and reſtore that aſſembly to its juſt freedom of debate and counſel. In their way to London, they were drawn up on Hounſlow-Heath; a formidable body, twenty thouſand ſtrong, and determined, without regard to laws or liberty, to purſue whatever meaſures their generals ſhould dictate to them. Here the moſt favourable event happened, to quicken and encourage their advance. The ſpeakers of the two houſes, Mancheſter and Lenthal, attended by eight peers, and about ſixty commoners, having ſecretly retired from the city, preſented themſelves with their maces, and all the enſigns of their dignity; and complaining of the violence put upon them, applied to the army for defence and protection. They were received with ſhouts and acclamations: Reſpect was paid to them as to the parliament of England: And the army being provided with ſo plauſible a pretence, which, in all public tranſactions, is of great conſequence, advanced to chaſtiſe the rebellious city, and to re-inſtate the violated parliament [l].

[h] Ruſh. vol. vii. p. 620. [i] Ibid. p. 629. 632. [k] Ibid. p. 641. 643. Clarendon, vol. v. p. 61. Whitlocke, p. 269. Cl. Walker, p. 38. [l] Ruſh. vol. viii. p. 750. Clarendon, vol. v. p. 63.

NEITHER Lenthal nor Mancheſter were eſteemed independents; and ſuch a ſtep in them was unexpected. But they probably foreſaw, that the army muſt, in the end, prevail; and they were willing to pay court in time to that authority, which began to predominate in the nation.

THE parliament, forced from their temporizing meaſures, and obliged to reſign, at once, or combat for their liberty and power, prepared themſelves with vigour for defence, and determined to reſiſt the violence of the army. The two houſes immediately choſe new ſpeakers, lord Hunſdon, and Henry Pelham: They renewed their former orders for enliſting troops: They appointed Maſſey to be commander: They ordered the trained bands to man the lines: And the whole city was in a ferment, and reſounded with military preparations [m].

WHEN any intelligence arrived that the army ſtopped or retreated, the ſhout of *One and all*, ran with alacrity, from ſtreet to ſtreet, among the citizens: When news came of their advancing, the cry of *Treat and capitulate*, was no leſs loud and vehement [n]. The terror of an univerſal pillage, and even maſſacre, had ſeized the timid inhabitants.

As the army approached, Rainſborow, being ſent by the general over the river, preſented himſelf before Southwark, and was gladly received by ſome ſoldiers, who were quartered there for its defence, and who were reſolved not to ſeparate their intereſts from thoſe of the army. It behoved then the parliament to ſubmit. The army marched in triumph through the city; but preſerved the greateſt order, decency, and appearance of humility. They conducted to Weſtminſter the two ſpeakers, who took their ſeats as if nothing had happened. The eleven impeached members, being accuſed as authors of the tumult, were expelled; the moſt of them retired beyond ſea: Seven peers were impeached: The mayor, one ſheriff, and three aldermen ſent to the Tower: Several citizens and officers of the militia committed to priſon: Every deed of the parliament annulled, from the day of the tumult till the return of the ſpeakers: The lines about the city levelled: The militia reſtored to the independents: Regiments quartered in Whitehall and the Meuſe: And the parliament being reduced to a regular formed ſervitude, a day was appointed of ſolemn thankſgiving for the reſtoration of its liberty [o].

1647. The army ſubdue the parliament.

THE independent party among the commons exulted in their victory. The whole authority of the nation, they imagined, was now lodged in their hands; and they had a near proſpect of moulding the government into that imaginary republic, which had long been the object of their wiſhes. They had ſecretly concurred in all encroachments of the military upon

[m] Ruſh. vol. viii. p. 646. [n] Whitlocke, p. 265. [o] Ruſh. vol. viii. p. 797, 798, &c.

the civil power; and they expected, by the terror of the ſword, to impoſe a more perfect ſyſtem of liberty on the reluctant nation. All parties, the king, the church, the parliament, the preſbyterians, had been guilty of errors ſince the commencement of theſe diſorders: But it muſt be confeſſed, that this deluſion of the independents and republicans was, of all others, the moſt contrary to common ſenſe, and the eſtabliſhed maxims of policy. Yet were the leaders of that party, Vane, Fiennes, St. John, Martin, the men in England the moſt celebrated for profound thought and deep contrivance; and by their well coloured pretences and profeſſions, they had over-reached the whole nation. To deceive ſuch men would argue a ſuperlative capacity in Cromwel; were it not that, beſides the great difference there is between dark, crooked councils and true wiſdom, an exorbitant paſſion for rule and authority will make the moſt prudent overlook the dangerous conſequences of ſuch meaſures as ſeem to tend, in any degree, to their own advancement.

THE leaders of the army, having eſtabliſhed their dominion over the parliament and city, ventured to bring the king to Hampton-court; and he lived, for ſome time, in that palace, with an appearance of dignity and freedom. Such equability of temper did he poſſeſs, that, during all the variety of fortune which he underwent, no difference was perceived in his countenance or behaviour; and though a priſoner, in the hands of his moſt inveterate enemies, he ſupported, towards all who approached him, the majeſty of a monarch; and that neither with leſs nor greater ſtate than he had been accuſtomed to maintain. His manner which was not in itſelf popular nor gracious, now appeared amiable, from its great meekneſs and equality.

THE parliament renewed their applications to him, and preſented him with the ſame conditions which they had offered at Newcaſtle. The king declined accepting them, and deſired the parliament to take the propoſals of the army into conſideration, and make them the foundation of the public ſettlement [p]. He ſtill entertained hopes that his negociations with the generals would be crowned with ſucceſs; though every thing, in that particular, daily bore a worſe aſpect. Moſt hiſtorians have thought that Cromwel never was ſincere in his profeſſions; and that, having, by force, rendered himſelf maſter of the king's perſon, and, by fair pretences, acquired the countenance of the royaliſts, he had employed theſe advantages to the enſlaving of the parliament: And afterwards thought of nothing but the eſtabliſhment of his own unlimited authority, with which he eſteemed the reſtoration, and even life of the king, altogether incompatible. This opinion ſo much warranted by the boundleſs ambition and profound diſſimulation of his character, meets with ready belief; though it is more

[p] Ruſh. vol. viii. p. 810.

agreeable to the narrowneſs of human views, and the darkneſs of futurity, to ſuppoſe, that this daring uſurper was guided by events, and did not, as yet, foreſee, with any aſſurance, that unparalleled greatneſs, which he afterwards attained. Many writers of that age have aſſerted [q], that he really intended to make a private bargain with the king; a meaſure, which carried the moſt plauſible appearance both for his ſafety and advancement: But that he found inſuperable difficulties in reconciling to it the wild humours of the army. The horror and antipathy of theſe fanatics had, for many years, been artfully fomented againſt Charles; and though their principles were, on all occaſions, eaſily warped and eluded by private intereſt, yet was ſome colouring requiſite, and a flat contradiction to all former profeſſions and tenets could not ſafely be propoſed to them. It is certain, at leaſt, that Cromwel made uſe of this reaſon, why he admitted rarely of viſits from the king's friends, and ſhowed leſs favour than formerly to the royal cauſe. The agitators he ſaid, had rendered him odious to the army, and had repreſented him as a traitor, who, for the ſake of private intereſt, was ready to betray the cauſe of God to the great enemy of piety and religion. Deſperate projects too, he aſſerted to be ſecretly formed, for the murder of the king; and he pretended much to dread leſt all his authority, and that of the commanding officers, would not be able to reſtrain theſe enthuſiaſts from their bloody purpoſes [r].

INTELLIGENCE being daily brought to the king of menaces thrown out by the agitators; he began to think of retiring from Hampton-Court, and of putting himſelf in ſome place of ſafety. The guards were doubled upon him: The promiſcuous concourſe of people reſtrained: A more jealous care exerted in attending his perſon: All, under colour of protecting him from danger: but really with a view of making him uneaſy in his preſent ſituation. Theſe artifices ſoon produced the intended effect. Charles, who was naturally apt to be ſwayed by counſel, and who had not then acceſs to any good counſel, took ſuddenly a reſolution of withdrawing himſelf, though without any concerted, at leaſt, any rational ſcheme, for the future diſpoſal of his perſon. Attended only by Sir John Berkely, Aſhburnham, and Leg, he privately left Hampton-Court; and his eſcape was not diſcovered, till near an hour after; when thoſe, who entered his chamber, found on the table ſome letters directed to the parliament, to the general, and to the officer, who had attended him [s]. All night, he travelled through the foreſt, and arrived next day at Tichfield, a ſeat of the earl of Southampton's, where the counteſs dowager reſided, a woman of honour, to whom, the king knew, he might ſafely entruſt his perſon. Before he arrived at this place, he had gone to the ſea-coaſt; and expreſſed great anxiety, that a ſhip, which he ſeemed to look for, had not arrived; and thence, Berkeley

1647. 11th Nov.

[q] See note [LL] at the end of the volume. [r] Clarendon, vol. v. p. 76. [s] Ruſh. vol. viii, p. 871.

and Leg, who were not in the ſecret, conjectured, that his intention was to tranſport himſelf beyond ſea.

1647. King flies to the iſle of Wight.

THE king could not hope to remain long concealed at Tichfield: What meaſure ſhould next be embraced was the queſtion. In the neighbourhood lay the iſle of Wight, of which Hammond was governor. This man was entirely dependent on Cromwel. At his recommendation he had married a daughter of the famous Hambden, who, during his lifetime, had been an intimate friend of Cromwel's, and whoſe memory was ever reſpected by him. Theſe circumſtances were very unfavourable: Yet, becauſe the governor was nephew to Dr. Hammond, the king's favourite chaplain, and had acquired a good character in the army, it was thought proper to have recourſe to him, in the preſent exigence, when no other rational expedient could be thought of. Aſhburnham and Berkeley were diſpatched to the iſland. They had orders not to inform Hammond of the place, where the king was concealed, till they had firſt obtained a promiſe from him not to deliver up his majeſty, though the parliament and army ſhould require him; but to reſtore him to his liberty, if he could not protect him. This promiſe, it is evident, would have been a very ſlender ſecurity: Yet even without exacting it, Aſhburnham, imprudently, if not treacherouſly, brought Hammond to Tichfield; and the king was obliged to put himſelf in his hands, and to attend him to Cariſbroke caſtle, in the iſle of Wight, where, though received with great demonſtrations of reſpect and duty, he was in reality a priſoner.

LORD CLARENDON [t] is poſitive, that the king, when he fled from Hampton-Court, had no intention of going to this Iſland; and indeed all the circumſtances of that hiſtorian's narrative, which we have here followed, ſtrongly favour this opinion. But there remains a letter of Charles's to the earl of Laneric, ſecretary of Scotland; in which he plainly intimates, that that meaſure was voluntarily embraced; and even inſinuates, that, if he had thought proper, he might have been in Jerſey or any other place of ſafety [u]. Perhaps, he ſtill confided in the promiſes of the generals and flattered himſelf, that, if he were removed from the fury of the agitators, by which his life was immediately threatened, they would execute what they had ſo often promiſed in his favour.

WHATEVER may be the truth in this matter; for it is impoſſible fully to aſcertain the truth: Charles never took a weaker ſtep, nor one more agreeable to Cromwel and all his enemies. He was now lodged in a place, removed from his partizans, at the diſpoſal of the army, whence it would be very difficult to deliver him, either by force or artifice. And though it was always in the power of Cromwel, whenever he pleaſed, to have ſent

[t] P. 79. 80, &c.

[u] See note [MM] at the end of the volume.

him thither; yet such a measure, without the king's consent, would have been very invidious, if not attended with some danger. That the king should voluntarily throw himself into the snare, and thereby gratify his implacable persecutors, was to them an incident peculiarly fortunate, and proved in the issue very fatal to him.

CROMWEL, being now entirely master of the parliament, and free from all anxiety, with regard to the custody of the king's person, applied himself seriously to quell those disorders in the army, which he himself had so artfully raised, and so successfully employed, against both king and parliament. In order to engage the troops into a rebellion against their masters, he had encouraged an arrogant spirit among the inferior officers and private men: and the camp, in many respects, carried more the appearance of civil liberty than of military obedience. The troops themselves were formed into a kind of republic; and the plans of imaginary republics, for the settlement of the state, were, every day, the topics of conversation among these armed legislators. Royalty it was agreed to abolish: Nobility must be set aside: Even all ranks of men be levelled; and an universal equality of property, as well as of power, be introduced among the citizens. The saints, they said, were the salt of the earth: An entire parity had place among the elect: And, by the same rule, that the apostles were exalted from the most ignoble professions, the meanest sentinel, if enlightened by the spirit, was entitled to equal regard with the greatest commander. In order to wean the soldiers from these licentious maxims, Cromwel had issued orders for discontinuing the meetings of the agitators; and he pretended to pay entire obedience to the parliament, whom, being now fully reduced to subjection, he purposed to make, for the future, the instruments of his authority. But the *Levellers*, for so that party in the army was called, having experienced the sweets of dominion, would not so easily be deprived of it. They secretly continued their meetings: They asserted, that their officers, as much as any part of the church or state, needed reformation: Several regiments joined in seditious remonstrances and petitions [w]. Separate rendezvouses were concerted: And every thing tended to anarchy and confusion. But this distemper was soon cured by the rough, but dextrous hand of Cromwel. He chose the opportunity of a review, that he might display the greater boldness, and spread the terror the wider. He seized the ringleaders before their companions: Held in the field a council of war: Shot one mutineer instantly: And struck such dread into the rest, that they presently threw down the symbols of sedition, which they had displayed, and thenceforth returned to their wonted discipline and obedience [x].

CROMWEL had great deference for the counsels of Ireton; a man, who,

[w] Rush. vol. viii. p. 845. 859. [x] Idem, Ibid. p. 875. Clarendon, vol. v. p. 87.

having grafted the ſoldier on the lawyer, the ſtateſman on the ſaint, had adopted ſuch principles as were fitted to introduce the ſevereſt tyranny, while they ſeemed to encourage the moſt unbounded licence, in human ſociety. Fierce in his nature, though probably ſincere in his intentions; he purpoſed by arbitrary power to eſtabliſh liberty, and, in proſecution of his imagined religious purpoſes, he thought himſelf diſpenſed from all the ordinary rules of morality, by which inferior mortals muſt allow themſelves to be governed. From his ſuggeſtion, Cromwel ſecretly called at Windſor a council of the chief officers, in order to deliberate concerning the ſettlement of the nation, and the future diſpoſal of the king's perſon [y]. In this conference, which commenced with devout prayers, poured forth by Cromwel himſelf and other inſpired perſons (for the officers of this army received inſpiration with their commiſſion), was firſt opened the daring and unheard-of counſel, of bringing the king to juſtice, and of puniſhing by a judicial ſentence, their ſovereign, for his pretended tyranny and maladminiſtration. While Charles lived, even though reſtrained to the cloſeſt priſon, conſpiracies, they knew, and inſurrections would never be wanting in favour of a prince, who was ſo extremely revered and beloved by his own party, and whom the nation in general began to regard with great affection and compaſſion. To murder him privately was expoſed to the imputation of injuſtice and cruelty, aggravated by the baſeneſs of ſuch a crime; and every odious epithet of *Traitor* and *Aſſaſſin* would, by the general voice of mankind, be undiſputably aſcribed to the actors in ſuch a villany. Some unexpected procedure muſt be attempted, which would aſtoniſh the world by its novelty, would bear the ſemblance of juſtice, and would cover its barbarity by the audaciouſneſs of the enterprize. Striking in with the fanatical notions of the entire equality of mankind, it would enſure the devoted obedience of the army, and ſerve as a general engagement againſt the royal family, whom, by their open and united deed, they would ſo heinouſly affront and injure [z].

THIS meaſure, therefore, being ſecretly reſolved on, it was requiſite, by degrees, to make the parliament adopt it, and to conduct them from violence to violence; till this laſt act of atrocious iniquity ſhould ſeem, in a manner wholly inevitable. The king, in order to remove thoſe fears and

[y] Clarendon, vol. v. p. 92.

[z] The following was a favourite text among the enthuſiaſts of that age. "Let the "high praiſes of God be in the mouths of his ſaints, and a twofold ſword in their hands "to execute vengeance upon the heathen and puniſhment upon the people; to bind "their kings with chains and their nobles with fetters of iron; to execute upon them "the judgements written; This honour have all his ſaints." Pſalm cxlix. ver. 6, 7, 8, 9. Hugh Peters, the mad chaplain of Cromwel, preached frequently upon this text.

jealouſies, which were perpetually pleaded as reaſons for every invaſion of the conſtitution, had offered by a meſſage, ſent from Cariſbroke-caſtle, to reſign, during his own life, the power of the militia and the nomination to all the great offices; provided, that, after his demiſe, theſe prerogatives ſhould revert to the crown [a]. But the parliament acted entirely as victors and enemies; and, in all their tranſactions with him, payed no longer any regard to equity or reaſon. At the inſtigation of the independents and army, they neglected this offer, and framed four propoſals, which they ſent him as preliminaries; and, before they would deign to treat, they demanded his poſitive aſſent to all of them. By one, he was required to inveſt the parliament with the military power for twenty years, together with an authority to levy whatever money ſhould be neceſſary for exerciſing it: And even after the twenty years ſhould be elapſed, they reſerved a right of reſuming the ſame authority, whenever they ſhould declare the ſafety of the kingdom to require it. By the ſecond, he was to recall all his proclamations and declarations againſt the parliament, and acknowledge that aſſembly to have taken arms in their juſt and neceſſary defence. By the third, he was to annul all the acts, and void all the patents of peerage, which had paſſed the great ſeal, ſince it had been carried from London by lord-keeper Littleton; and at the ſame time, renounce for the future the power of making peers without conſent of parliament. By the fourth, he gave the two houſes power to adjourn as they thought proper: A demand ſeemingly of no great importance; but contrived by the independents, that they might be able to remove the parliament to places, where it ſhould remain in perpetual ſubjection to the army [b].

THE king regarded the pretenſion as unuſual and exorbi-
1468. tant, that he ſhould make ſuch conceſſions, while not ſecure of any ſettlement; and ſhould blindly truſt his enemies for the conditions, which they were afterwards to grant him. He required, therefore, a perſonal treaty with the parliament, and deſired, that all the terms, on both ſides, ſhould be adjuſted, before any conceſſion, on either ſide, ſhould be inſiſted on. The republican party in the houſe pretended to take fire at this anſwer; and openly inveighed, in violent terms, againſt the perſon and government of the king; whoſe name, hitherto, had commonly, in all debates been mentioned with ſome degree of reverence. Ireton, ſeeming to ſpeak the ſenſe of the army, under the appellation of many thouſand godly men, who had ventured their lives in defence of the parliament, ſaid, that the king, by denying the four bills, had refuſed ſafety and protection to his people; that their obedience to him was but a reciprocal duty for his protection of them; and that, as he had failed on

[a] Ruſh. vol. viii. p. 880. [b] Clarendon, vol. v. p. 88. [c] Cl. Walker, p. 70.

his part, they were freed from all obligations to allegiance, and must settle the nation, without consulting any longer so misguided a prince [c]. Cromwel, after giving an ample character of the valour, good affections, and godliness of the army, subjoined, that it was expected the parliament should guide and defend the kingdom by their own power and resolutions, and not accustom the people any longer to expect safety and government from an obstinate man, whose heart God had hardened; that those who, at the expence of their blood, had hitherto defended the parliament from so many dangers, would still continue, with fidelity and courage, to protect them against all opposition, in this vigorous measure. "Teach them not," added he, "by your neglecting your own safety and that of the kingdom "(in which theirs too is involved), to imagine themselves betrayed, and "their interests abandoned to the rage and malice of an irreconcileable ene- "my, whom, for your sake, they have dared to provoke. Beware (*and "at these words he laid his hand on his sword*), beware, lest despair cause "them to seek safety by some other means than by adhering to you, who "know not how to consult your own safety [d]." Such arguments prevailed; though ninety-one members had still the courage to oppose. It was voted, that no more addresses be made to the king, nor any letters or messages be received from him; and that it be treason for any one, without leave of the two houses, to have any intercourse with him. The lords concurred in the same ordinance [e]. 1648. 15th. Jan.

By this vote of non-addresses, so it was called, the king was, in reality, dethroned and the whole constitution formally overthrown. So violent a measure was supported by a declaration of the commons no less violent. The blackest calumnies were there thrown upon the king; such as, even in their famous remonstrance, they thought proper to omit, as incredible and extravagant: The poisoning of his father, the betraying of Rochelle, the contriving of the Irish massacre [f]. By blasting his fame, had that injury been in their power, they formed a very proper prelude to the executing of violence on his person.

No sooner had the king refused his assent to the four bills, than Hammond, by orders from the army, removed all his servants, cut off his correspondence with his friends, and shut him up in close confinement. The king afterwards showed to Sir Philip Warwick, a decrepid old man, who, he said, was employed to kindle his fire, and was the best company he enjoyed, during several months that this rigorous confinement lasted [g]. No amusement was allowed him, nor society, which might relieve his anxious thoughts: To be speedily poisoned or assassinated was the only prospect which he had, every moment, before his eyes: For he entertained no ap-

[c] Cl. Walker, p. 70. [d] idem, ibid. [e] Rush. vol. viii. p. 965. 967.
[f] Idem ibid, p. 998. Clarendon, vol. v. p. 93. [g] Warwick, p. 329.

prehenſion of a judicial ſentence and execution; an event of which no hiſtory hitherto furniſhed an example. Meanwhile the parliament was very induſtrious in publiſhing from time to time, the intelligence which they received from Hammond; how cheerful the king was, how pleaſed with every one that approached him, how ſatisfied in his preſent condition [h]: As if the view of ſuch benignity and conſtancy had not been more proper to inflame, than allay, the general compaſſion of the people. The great ſource whence the king derived conſolation amidſt all his calamities, was undoubtedly religion; a principle which, in him, ſeems to have contained nothing fierce or gloomy, nothing which enraged him againſt his adverſaries, or terrified him with the diſmal proſpect of futurity. While every thing around him bore a hoſtile aſpect; while friends, family, relations, whom he paſſionately loved, were placed at a diſtance, and unable to ſerve him; he repoſed himſelf with confidence in the arms of that Being who penetrates and ſuſtains all nature, and whoſe ſeverities, if received with piety and reſignation, he regarded as the ſureſt pledges of unexhauſted favour.

1648. Second civil war.

THE parliament and army, meanwhile, enjoyed not, in tranquillity, that power which they had obtained with ſo much violence and injuſtice. Combinations and conſpiracies, they were ſenſible, were every where forming around them; and Scotland, whence the king's cauſe had received the firſt fatal diſaſter, ſeemed now to promiſe it ſupport and aſſiſtance.

BEFORE the ſurrender of the king's perſon at Newcaſtle, and much more, ſince that event, the ſubjects of diſcontent had been daily multiplying between the two kingdoms. The independents, who began to prevail, took all occaſions of mortifying the Scots, whom the preſbyterians looked on with the greateſt affection and veneration. When the Scottiſh commiſſioners, who, joined to a committee of Engliſh lords and commons, had managed the war, were ready to depart, it was propoſed in parliament to give them thanks for their civilities and good offices. The independents inſiſted, that the words *Good offices* ſhould be ſtruck out; and thus the whole brotherly friendſhip and intimate alliance with the Scots reſolved itſelf into an acknowledgment of their being well-bred gentlemen.

THE advance of the army to London, the ſubjection of the parliament, the ſeizing of the king at Holdenby, his confinement in Cariſbroke-caſtle, were ſo many blows ſenſibly felt by that nation; as threatening the final overthrow of preſbytery, to which they were ſo paſſionately devoted. The covenant was profanely called, in the houſe of commons, an almanack out of date [i]; and that impiety, though complained of, had paſſed uncenſured. Inſtead of being able to determine and eſtabliſh orthodoxy by the ſword

[h] Ruſh. vol. viii. p. 989. [i] Cl. Walker, p. 80.

and by penal ſtatutes, they ſaw the ſectarian army, who were abſolute maſters, claim an unbounded liberty of conſcience, which the preſbyterians regarded with the utmoſt abhorrence. All the violences put on the king they loudly blamed, as repugnant to the covenant, by which they ſtood engaged to defend his royal perſon. And thoſe very actions of which they themſelves had been guilty, they denominated treaſon and rebellion, when executed by an oppoſite party.

THE earls of Loudon, Lauderdale, and Laneric, who were ſent to London, proteſted againſt the four bills; as containing too great a diminution of the king's civil power, and providing no ſecurity for religion. They complained, that, notwithſtanding this proteſtation, the bills were ſtill inſiſted on; contrary to the ſolemn league, and to the treaty between the two nations. And when they accompanied the Engliſh commiſſioners to the iſle of Wight, they ſecretly formed a treaty with the king, for arming Scotland in his favour [k].

1648. Invaſion from Scotland.

THREE parties, at that time, prevailed in Scotland: The *Royaliſts*, who inſiſted upon the reſtoration of the king's authority, without any regard to religious ſects or tenets: Of theſe Montroſe, though abſent, was regarded as the head. The *Rigid Preſbyterians*, who hated the king, even more than they abhorred toleration; and who determined to give him no aſſiſtance, till he ſhould ſubſcribe the covenant: Theſe were governed by Argyle. The *Moderate Preſbyterians*, who endeavoured to reconcile the intereſts of religion and of the crown, and hoped, by ſupporting the preſbyterian party in England, to ſuppreſs the ſectarian army, and reinſtate the parliament, as well as the king, in their juſt freedom and authority: The two brothers, Hamilton and Laneric, were leaders of this party.

WHEN Pendennis caſtle was ſurrendered to the parliamentary army, Hamilton, who then obtained his liberty, returned into Scotland; and being generouſly determined to remember ancient favours, more than recent injuries, he immediately embraced, with zeal and ſucceſs, the protection of the royal cauſe. He obtained a vote from the Scottiſh parliament to arm 40,000 men in ſupport of the king's authority, and to call over a conſiderable body under Monro, who commanded the Scottiſh forces in Ulſter. And though he openly proteſted, that the covenant was the foundation of all his meaſures, he ſecretly entered into correſpondence with the Engliſh royaliſts, Sir Marmaduke Langdale and Sir Philip Muſgrave, who had levied conſiderable forces in the north of England.

THE general aſſembly, who ſat at the ſame time, and was guided by Argyle, dreaded the conſequences of theſe meaſures, and foreſaw that the

[k] Clarendon, vol. v. p. 101.

oppoſite party, if ſucceſsful, would effect the reſtoration of monarchy, without the eſtabliſhment of preſbytery, in England. To join the king before he had ſubſcribed the covenant, was, in their eyes, to reſtore him to his honour before Chriſt had obtained his [1]; and they thundered out anathemas againſt every one who paid obedience to the parliament. Two ſupreme independent judicatures were erected in the kingdom; one threatening the people with damnation and eternal torments, the other with impriſonment, baniſhment, and military execution. The people were diſtracted in their choice; and the armament of Hamilton's party, though ſeconded by all the civil power, went on but ſlowly. The royaliſts he would not, as yet, allow to join him, leſt he might give offence to the eccleſiaſtical party; though he ſecretly promiſed them truſt and preferment, as ſoon as his army ſhould advance into England.

WHILE the Scots were making preparations for the invaſion of England, every part of that kingdom was agitated with tumults, inſurrections, conſpiracies, diſcontents. It is ſeldom that the people gain any thing by revolutions in government; becauſe the new ſettlement, jealous and inſecure, muſt commonly be ſupported with more expence and ſeverity than the old: But on no occaſion was the truth of this maxim more ſenſibly felt, than in the preſent ſituation of England. Complaints againſt the oppreſſion of ſhip-money, againſt the tyranny of the ſtar-chamber, had rouzed the people to arms: And having gained a complete victory over the crown, they found themſelves loaded with a multiplicity of taxes, formerly unknown; and ſcarcely an appearance of law and liberty remained in the adminiſtration. The preſbyterians, who had chiefly ſupported the war, were enraged to find the prize, juſt when it ſeemed within their reach, ſnatched by violence from them. The royaliſts, diſappointed in their expectations, by the cruel treatment which the king now received from the army, were ſtrongly animated to reſtore him to liberty, and to recover the advantages which they had unfortunately loſt. All orders of men were inflamed with indignation at ſeeing the military prevail over the civil power, and king and parliament at once reduced to ſubjection by a mercenary army. Many perſons of family and diſtinction had, from the beginning of the war, adhered to the parliament: But all theſe were, by the new party, deprived of authority; and every office was entruſted to the moſt ignoble part of the nation. A baſe populace exalted above their ſuperiors: Hypocrites exerciſing iniquity under the vizor of religion: Theſe circumſtances promiſed not much liberty or lenity to the people; and theſe were now found united, in the ſame uſurped and illegal adminiſtration.

THOUGH the whole nation ſeemed to combine in their hatred of military tyranny, the ends which the ſeveral parties purſued were ſo different, that

1. Whitlocke, p 305.

little concert was obſerved in their inſurrections. Langhorne, Poyer, and Powel, preſbyterian officers, who commanded bodies of troops in Wales, were the firſt that declared themſelves; and they drew together a conſiderable army in thoſe parts, which were extremely devoted to the royal cauſe. An inſurrection was raiſed in Kent by young Hales and the earl of Norwich. Lord Capel, Sir Charles Lucas, Sir George Liſle, excited commotions in Eſſex. The earl of Holland, who had ſeveral times changed ſides ſince the commencement of the civil wars, endeavoured to aſſemble forces in Surrey. Pomfret caſtle in Yorkſhire was ſurprized by Morrice. Langdale and Muſgrave were in arms, and maſters of Berwic and Carliſle in the north.

WHAT ſeemed the moſt dangerous circumſtance, the general ſpirit of diſcontent had ſeized the fleet. Seventeen ſhips, lying in the mouth of the river, declared for the king; and putting Rainſborow, their admiral aſhore, ſailed over to Holland, where the prince of Wales took the command of them [m].

THE Engliſh royaliſts exclaimed loudly againſt Hamilton's delays, which they attributed to a refined policy in the Scots; as if their intentions were, that all the king's party ſhould firſt be ſuppreſſed, and the victory remain ſolely to the preſbyterians. Hamilton, with better reaſon, complained of the precipitate humour of the Engliſh royaliſts, who, by their ill-timed inſurrections, forced him to march his army before his levies were completed, or his preparations in any forwardneſs.

No commotions, beyond a tumult of the apprentices, which was ſoon ſuppreſſed, were raiſed in London: The terror of the army kept the citizens in ſubjection. The parliament was ſo overawed, that they declared the Scots to be enemies, and all who joined them, traitors. Ninety members, however, of the lower houſe had the courage to diſſent from this vote.

CROMWEL and the military council prepared themſelves with vigour and conduct for defence. The eſtabliſhment of the army was, at this time, 26,000 men; but by inliſting ſupernumeraries, the regiments were greatly augmented, and commonly conſiſted of more than double their ſtated complement [n]. Colonel Horton firſt attacked their revolted troops in Wales, and gave them a conſiderable defeat. The remnants of the vanquiſhed threw themſelves into Pembroke, and were there cloſely beſieged, and ſoon after taken, by Cromwel. Lambert was oppoſed to Langdale and Muſgrave in the north, and gained advantages over them. Sir Michael Liveſey defeated the earl of Holland at Kingſton, and purſuing his victory, took him priſoner at St. Neots. Fairfax, having routed the Kentiſh royaliſts at Maidſtone, followed the broken army: And when they joined the roy-

[m] Clarendon, vol. v. p. 137. [n] Whitlocke, p. 284.

aliſts of Eſſex, and threw themſelves into Colcheſter, he laid ſiege to that place, which defended itſelf to the laſt extremity. A new fleet was manned, and ſent out under the command of Warwic, to oppoſe the revolted ſhips, of which the prince had taken the command.

WHILE the forces were employed in all quarters, the parliament regained its liberty, and began to act with its wonted courage and ſpirit. The members, who had withdrawn, from terror of the army, returned; and infuſing boldneſs into their companions, reſtored to the preſbyterian party the aſcendant, which it had formerly loſt. The eleven impeached members were recalled, and the vote, by which they were expelled, was reverſed: The vote too of non-addreſſes was repealed; and commiſſioners, five peers and ten commoners, were ſent to Newport in the iſle of Wight, in order to treat with the king [o]. He was allowed to ſummon ſeveral of his friends and old counſellors, that he might have their advice in this important tranſaction [p]. The theologians, on both ſides, armed with their ſyllogiſms and quotations, attended as auxiliaries [q]. By them the flame had firſt been raiſed; and their appearance was but a bad prognoſtic of its extinction. Any other inſtruments ſeemed better adapted for a treaty of pacification.

1648. 18th Sept. Treaty of Newport.

WHEN the king preſented himſelf to this company, a great and ſenſible alteration was remarked in his aſpect, from what it appeared the year before, when he reſided at Hampton Court. The moment his ſervants had been removed, he had laid aſide all his care of his perſon, and had allowed his beard and hair to grow, and to hang diſhevelled and neglected. His hair was become almoſt entirely gray; either from the decline of years, or from that load of ſorrows, under which he laboured, and which, though borne with conſtancy, preyed inwardly on his ſenſible and tender mind. His friends beheld with compaſſion, and perhaps even his enemies, that *grey and diſcrowned head*; as he himſelf terms it, in a copy of verſes, which the truth of the ſentiment, rather than any elegance of expreſſion, renders very pathetic [r]. Having in vain endeavoured by courage to defend his throne from his armed adverſaries, it now behoved him, by reaſoning and perſuaſion, to ſave ſome fragments of it from theſe peaceful, and no leſs implacable negociators.

THE vigour of the king's mind, notwithſtanding the ſeeming decline of his body, here appeared unbroken and undecayed. The parliamentary commiſſioners would allow none of his council to be preſent, and refuſed to enter into reaſoning with any but himſelf. He alone, during the tranſactions of two months, was obliged to maintain the argument againſt fifteen men of the greateſt parts and capacity in both houſes; and no advant-

[o] Clarendon, vol. v. p. 180. Sir Edward Walker's perfect Copies, p. 6.
[p] Ibid. p. 8. [q] Ibid. p. 8. 38. [r] Burnet's Memoirs of Hamilton

age was ever obtained over him [s]. This was the ſcene, above all others in which he was qualified to excel. A quick conception, a cultivated underſtanding, a chaſte elocution, a dignified manner; by theſe accompliſhments he triumphed in all diſcuſſions of cool and temperate reaſoning. *The king is much changed*, ſaid the earl of Saliſbury to Sir Philip Warwick: *He is extremely improved of late.* *No*, replied Sir Philip; *he was always ſo: But you are now at laſt ſenſible of it* [t]. Sir Henry Vane, diſcourſing with his fellow commiſſioners, drew an argument from the king's uncommon abilities, why the terms of pacification muſt be rendered more ſtrict and rigid [u]. But Charles's capacity ſhone not equally in action as in reaſoning.

THE firſt point, inſiſted on by the parliamentary commiſſioners, was the king's recalling all his proclamations and declarations againſt the parliament, and the acknowledging that they had taken arms in their own defence. He frankly offered the former conceſſion; but long ſcrupled the latter. The falſehood, as well as indignity of that acknowledgment, begat in his breaſt an extreme reluctance againſt it. The king had, no doubt, in ſome particulars of moment, invaded, from a ſeeming neceſſity, the privileges of his people: But having renounced all claim to theſe uſurped powers, having confeſſed his errors, and having repaired every breach in the conſtitution, and even erected new ramparts, in order to ſecure it; he could no longer, at the commencement of the war, be repreſented as the aggreſſor. However it might be pretended, that the former diſplay of his arbitrary inclinations, or rather his monarchical principles, rendered an offenſive or preventive war in the parliament prudent and reaſonable; it could never, in any propriety of ſpeech, make it be termed a defenſive one. But the parliament, ſenſible that the letter of the law condemned them as rebels and traitors, deemed this point abſolutely neceſſary for their future ſecurity: And the king, finding that peace could be obtained on no other terms, at laſt, yielded to it. He only entered a proteſt, which was admitted; that no conceſſion, made by him, ſhould be valid, unleſs the whole treaty of pacification were concluded [w].

HE agreed that the parliament ſhould retain, during the term of twenty years, the power over the militia and army, and that of levying what money they pleaſed for their ſupport. He even yielded to them the right of reſuming at any time afterwards, this authority, whenever they ſhould declare ſuch a reſumption neceſſary for public ſafety. In effect, the important power of the ſword was for ever raviſhed from him and his ſucceſſors [x].

HE agreed, that all the great offices, during twenty years, ſhould be fill-

[s] Herbert's Memoirs, p. 72. [t] Warwick, p. 324. [u] Clarendon. Sir Edward Walker, p. 319. [w] Walker, p. 11. 24. [x] Ibid. p. 51.

ed by both houſes of parliament [y]. He relinquiſhed to them the entire government of Ireland, and the conduct of the war there [z]. He renounced the power of the wards, and accepted of 100,000 pounds a-year in lieu of it [a]. He acknowledged the validity of their great ſeal, and gave up his own [b]. He abandoned the power of creating peers without conſent of parliament. And he agreed, that all the debts, contracted in order to ſupport the war againſt him, ſhould be paid by the people.

So great were the alterations, made on the Engliſh conſtitution by this treaty, that the king ſaid, not without reaſon, that he had been more an enemy to his people by theſe conceſſions, could he have prevented them, than by any other action of his life.

OF all the demands of the parliament, Charles refuſed only two. Though he relinquiſhed almoſt every power of the crown, he would neither give up his friends to puniſhment, nor deſert what he eſteemed his religious duty. The ſevere repentance, which he had undergone, for abandoning Strafford, had, no doubt, confirmed him in the reſolution never again to be guilty of a like error. His long ſolitude and ſevere afflictions had contributed to rivet him the more in thoſe religious principles, which had ever a conſiderable influence over him. His deſire, however, of finiſhing an accommodation induced him to go as far in both theſe particulars, as he thought any wiſe conſiſtent with his duty.

THE eſtates of the royaliſts being, at that time, almoſt entirely under ſequeſtration, Charles, who could give them no protection, conſented, that they ſhould pay ſuch compoſitions, as they and the parliament could agree on; and only begged, that they might be made as moderate as poſſible. He had not the diſpoſal of offices; and it ſeemed but a ſmall ſacrifice to conſent, that a certain number of his friends ſhould be rendered incapable of public employments [c]. But when the parliament demanded a bill of attainder and baniſhment againſt ſeven perſons, the marqueſs of Newcaſtle, lord Digby, lord Biron, Sir Marmaduke Langdale, Sir Richard Granville, Sir Frances Doddington, and judge Jenkins, the king abſolutely refuſed compliance: Their baniſhment for a limited time he was willing to agree to [d].

RELIGION was the fatal point about which the differences had ariſen; and of all others, it was the leaſt ſuſceptible of compoſition or moderation between the contending parties. The parliament inſiſted on the eſtabliſhment of preſbytery, the ſale of the chapter lands, the abolition of all forms of prayer, and ſtrict laws againſt catholics. The king offered to retrench every thing, which he did not eſteem of apoſtolical inſtitution: He was willing to aboliſh archbiſhops, deans, prebends, canons: He offered, that

[y] Walker p. 78. [z] Ibid. p. 45. [a] Ibid. p. 69. 77. [b] Ibid. p. 56. 68.
[c] Ibid. p 61. [d] Ibid. p. 91. 93.

the chapter lands ſhould be let at low leaſes during ninety-nine years: He conſented, that the preſent church government ſhould continue during three years [c]: After that time, he required not, that any thing ſhould be reſtored to biſhops but the power of ordination, and even that power to be exerciſed by advice of the preſbyters [f]. If the parliament, upon the expiration of that period, ſtill inſiſted on their demand, all other branches of epiſcopal juriſdiction were aboliſhed, and a new form of church government muſt, by common conſent, be eſtabliſhed. The book of common prayer he was willing to renounce, but required the liberty of uſing ſome other liturgy in his own chapel [g]: A demand, which, though ſeemingly reaſonable, was poſitively refuſed by the parliament.

IN the diſpute on theſe articles, one is not ſurpriſed, that two of the parliamentary theologians ſhould tell the king, *That if he did not conſent to the utter abolition of epiſcopacy he would be damned.* But it is not without ſome indignation, that we read the following vote of the lords and commons. "The houſes, out of their deteſtation to that abominable idolatry "uſed in the maſs, do declare, that they cannot admit of, or conſent unto, "any ſuch indulgence in any law, as is deſired by his majeſty for exempt-"ing the queen and her family from the penalties to be enacted againſt "the exerciſe of the maſs [h]." The treaty of marriage, the regard to the queen's ſex and high ſtation, even common humanity; all conſiderations were undervalued, in compariſon of their bigoted prejudices [i].

IT was evidently the intereſt, both of king and parliament, to finiſh their treaty with all expedition; and endeavour, by their combined force, to reſiſt, if poſſible, the uſurping fury of the army. It ſeemed even the intereſt of the parliament, to leave in the king's hand, a conſiderable ſhare of authority, by which he might be enabled to protect them and himſelf, from ſo dangerous an enemy. But the terms, on which they inſiſted, were ſo rigorous, that the king, fearing no worſe from the moſt implacable enemies, was in no haſte to come to a concluſion. And ſo great was the bigotry on both ſides, that they were willing to ſacrifice the greateſt civil intereſts, rather than relinquiſh the moſt minute of their theological contentions. From theſe cauſes, aſſiſted by the artifice of the independents, the treaty was ſpun out to ſuch a length, that the invaſions and inſurrections were every where ſubdued; and the army had leiſure to execute their violent and ſanguinary purpoſes.

1648. Civil war and invaſion repreſſed.

HAMILTON, having entered England with a numerous, though undiſciplined, army, durſt not unite his forces with thoſe of Langdale; becauſe the Engliſh royaliſts had refuſed to take the covenant; and the Scottiſh preſbyterians, though engaged

[c] Walker, p. 29. 35. 49. [f] Ibid. p. 65. [g] Ibid. p. 75. 82. Ruſh. vol. viii. 1323. [h] Walker p. 71. [i] See note [NN] at the end of the volume.

for the king, refuſed to join them on any other terms. The two armies marched together though at ſome diſtance; nor could even the approach of the parliamentary army under Cromwel, oblige the covenanters to conſult their own ſafety, by a cloſe union with the royaliſts. When principles are ſo abſurd and ſo deſtructive of human ſociety, it may ſafely be averred, that the more ſincere and the more diſintereſted they are, they only become the more ridiculous and more odious.

CROMWEL feared not to oppoſe 8000 men, to the numerous armies of 20,000, commanded by Hamilton and Langdale. He attacked the latter by ſurprize, near Preſton in Lancaſhire [k]; and, though the royaliſts made a brave reſiſtance, yet not being ſuccoured in time by their confederates, they were almoſt entirely cut in pieces. Hamilton was next attacked, put to rout, and purſued to Utoxeter, where he ſurrendered himſelf priſoner. Cromwel followed his advantage; and marching into Scotland with a conſiderable body, joined Argyle, who was alſo in arms; and having ſuppreſſed Laneric, Monro, and other moderate preſbyterians, he placed the power entirely in the hands of the violent party. The eccleſiaſtical authority, exalted above the civil, exerciſed the ſevereſt vengeance on all who had a ſhare in Hamilton's engagement, as it was called; nor could any of that party recover truſt, or even live in ſafety, but by doing ſolemn and public penance for taking arms, by authority of parliament, in defence of their lawful ſovereign.

THE chancellor, Loudon, who had, at firſt, countenanced Hamilton's enterprize, being terrified with the menaces of the clergy, had, ſome time before, gone over to the other party; and he now, openly in the church, though inveſted with the higheſt civil character in the kingdom, did penance for his obedience to the parliament, which he termed a *carnal self-ſeeking*. He accompanied his penance with ſo many tears, and ſuch pathetical addreſſes to the people for their prayers in this his uttermoſt ſorrow and diſtreſs, that an univerſal weeping and lamentation took place among the deluded audience [l].

THE loan of great ſums of money, often to the ruin of families, was exacted from all ſuch as lay under any ſuſpicion of favouring the king's party, though their conduct had been ever ſo inoffenſive. This was a device, fallen upon by the ruling party, in order, as they ſaid, to reach *Heart Malignants* [m]. Never, in this iſland, was known a more ſevere and arbitrary government, than was generally exerciſed, by the patrons of liberty in both kingdoms.

THE ſiege of Colcheſter terminated in a manner no leſs unfortunate than Hamilton's engagement, for the royal cauſe. After ſuffering the utmoſt extremities of famine, after feeding on the vileſt aliments; the gar-

[k] 17th of Auguſt. [l] Whitlocke, p. 360. [m] Guthry.

ſon deſired, at laſt, to capitulate. Fairfax required them to ſurrender at diſcretion; and he gave ſuch an explanation to theſe terms, as to reſerve to himſelf power, if he pleaſed, to put them all inſtantly to the ſword. The priſoners endeavoured, though in vain, to perſuade the ſoldiers, by making a vigorous ſally, to break through, at leaſt, to ſell their lives as dear as poſſible. They were obliged [n] to accept of the conditions offered; and Fairfax, inſtigated by Ireton, to whom Cromwel, in his abſence, had conſigned over the government of the paſſive general, ſeized Sir Charles Lucas and Sir George Liſle, and reſolved to make them inſtant ſacrifices to military juſtice. This unuſual ſeverity was loudly exclaimed againſt by all the priſoners. Lord Capel, fearleſs of danger, reproached Ireton with it; and challenged him, as they were all engaged in the ſame honourable cauſe, to exerciſe the ſame impartial vengeance on all of them. Lucas was firſt ſhot, and he himſelf gave orders to fire, with the ſame alacrity as if he had commanded a platoon of his own ſoldiers. Liſle inſtantly ran and kiſſed the dead body, then cheerfully preſented himſelf to a like fate. Thinking that the ſoldiers, deſtined for his execution, ſtood at too great a diſtance, he called to them to come nearer: One of them replied, *I'll warrant you, Sir, we'll hit you:* He anſwered, ſmiling, *Friends, I have been nearer you when you have miſſed me.* Thus periſhed this generous ſpirit, not leſs beloved for his modeſty and humanity, than eſteemed for his courage and military conduct.

Soon after, a gentleman appearing in the king's preſence, cloathed in mourning for Sir Charles Lucas; that humane prince ſuddenly recollecting the hard fate of his friends, paid them a tribute which none of his own unparalleled misfortunes ever extorted from him: He diſſolved into a flood of tears [o].

By theſe multiplied ſucceſſes of the army, they had ſubdued all their enemies; and none remained but the helpleſs king and parliament, to oppoſe their violent meaſures. From Cromwel's ſuggeſtion, a remonſtrance was drawn by the council of general officers, and ſent to the parliament. They there complain of the treaty with the king; demand his puniſhment for the blood ſpilt during the war; require a diſſolution of the preſent parliament, and a more equal repreſentation for the future; and aſſert, that, though ſervants, they are entitled to repreſent theſe important points, to their maſters, who are themſelves no better than ſervants and truſtees of the people. At the ſame time, they advanced with the army to Windſor, and ſent colonel Eure to ſeize the king's perſon at Newport, and convey him to Hurſt caſtle in the neighbourhood where he was detained in ſtrict confinement.

1648. The king ſeized again by the army

This meaſure being foreſeen ſome time before, the king was exhorted

[n] 18th of Auguſt. [o] Whitlocke.

to make his escape, which was conceived to be very easy; But having given his word to the parliament not to attempt the recovery of his liberty during the treaty, and three weeks after; he would not by any persuasion be induced to hazard the reproach of violating that promise. In vain was it urged, that a promise, given to the parliament, could no longer be binding; since they could no longer afford him protection from violence, threatened him by other persons to whom he was bound by no tye or engagement. The king would indulge no refinements of casuistry, however plausible, in such delicate subjects; and was resolved, that what depredations soever fortune should commit upon him, she never should bereave him of his honour [p].

THE parliament lost not courage, notwithstanding the danger with which they were so nearly menaced. Though without any plan for resisting military usurpations, they resolved to withstand them to the uttermost; and rather to bring on a violent and visible subversion of government, than lend their authority to those illegal and sanguinary measures which were projected. They set aside the remonstrance of the army, without deigning to answer it; they voted the seizing of the king's person to be without their consent, and sent a message to the general, to know by what authority that enterprize had been executed; and they issued orders, that the army should advance no nearer to London.

HOLLIS, the present leader of the presbyterians, was a man of unconquerable intrepidity, and many others of that party seconded his magnanimous spirit. It was proposed by them, that the generals and principal officers should for their disobedience and usurpations, be proclaimed traitors by the parliament.

BUT the parliament was dealing with men who would not be frightened by words, nor retarded by any scrupulous delicacy. The generals, under the name of Fairfax (for he still allowed them to employ his name), marched the army to London, and, placing guards in Whitehall, the Meuse, St. James's, Durham-house, Covent-garden, and Palace-yard, surrounded the parliament with their hostile armaments.

1648. Decemb. 6. The house purged.

THE parliament, destitute of all hopes of prevailing, retained, however, courage to resist. They attempted, in the face of the army, to close their treaty with the king; and, though they had formerly voted his concessions with regard to the church and delinquents to be unsatisfactory, they now took into consideration the final resolution with regard to the whole. After a violent debate of three days, it was carried, by a majority of 129 against 83, in the house of commons, that the king's concessions were a foundation for the house to proceed upon in the settlement of the kingdom.

[p] Col Cooke's Memoirs, p. 174. Rush. vol. viii. p. 1347.

NEXT day, when the commons were to meet, colonel Pride, formerly a drayman, had environed the houſe with two regiments; and, directed by lord Grey of Groby, he ſeized in the paſſage forty-one members of the preſbyterian party, and ſent them to a low room, which paſſed by the appellation of *hell*; whence they were afterwards carried to ſeveral inns. Above 160 members more were excluded; and none were allowed to enter but the moſt furious and moſt determined of the independents; and theſe exceeded not the number of fifty or ſixty. This invaſion of the parliament commonly paſſed under the name of *Colonel Pride's purge;* ſo much diſpoſed was the nation to make merry with the dethroning of thoſe members, who had violently arrogated the whole authority of government, and deprived the king of his legal prerogatives.

THE ſubſequent proceedings of the parliament, if this diminutive aſſembly deſerve that honourable name, retain not the leaſt appearance of law, equity, or freedom. They inſtantly reverſed the former vote, and declared the king's conceſſions unſatisfactory. They determined, that no member, abſent at this laſt vote, ſhould be received, till he ſubſcribed it as agreeable to his judgment. They renewed their former vote of non-addreſſes. And they committed to priſon, Sir William Waller, Sir John Clotworthy, the generals Maſſey, Brown, Copley, and other leaders of the preſbyterians. Theſe men, by their credit and authority, which was then very high, had at the commencement of the war ſupported the parliament; and thereby prepared the way for the greatneſs of the preſent leaders, who at that time were of ſmall account in the nation.

THE ſecluded members having publiſhed a paper, containing a narrative of the violence which had been exerciſed upon them, and a proteſtation, that all acts were void, which from that time had been tranſacted in the houſe of commons, the remaining members encountered it with a declaration, in which they pronounced it falſe, ſcandalous, ſeditious, and tending to the deſtruction of the viſible and fundamental government of the kingdom.

THESE ſudden and violent revolutions held the whole nation in terror and aſtoniſhment. Every man dreaded to be trampled under foot, in the contention between thoſe mighty powers, which diſputed for the ſovereignty of the ſtate. Many began to withdraw their effects beyond ſea; Foreigners ſcrupled to give any credit to a people, ſo torn by domeſtic faction, and oppreſſed by military uſurpation: Even the internal commerce of the kingdom began to ſtagnate: And in order to remedy theſe growing evils, the generals, in the name of the army, publiſhed a declaration, in which they expreſſed their reſolution of ſupporting law and juſtice [¶].

¶ Ruſh. vol. viii. p. 1364.

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[q] Ruſh. vol. viii. p. 1364.

THE more to quiet the minds of men, the council of officers took into conſideration, a ſcheme called *The agreement of the people*; being the plan of a republic, to be ſubſtituted in the place of that government, which they had ſo violently pulled in pieces. Many parts of this ſcheme, for correcting the inequalities of the repreſentative, are plauſible; had the nation been diſpoſed to receive it, or had the army intended to impoſe it. Other parts are too perfect for human nature, and ſavour ſtrongly of that fanatical ſpirit, ſo prevalent throughout the kingdom.

THE height of all iniquity and fanatical extravagance yet remained; the public trial and execution of their ſovereign. To this period was every meaſure precipitated by the zealous independents. The parliamentary leaders of that party had intended, that the army, themſelves, ſhould execute that daring enterprize; and they deemed ſo irregular and lawleſs a deed, beſt fitted to ſuch irregular and lawleſs inſtruments[r]. But the generals were too wiſe, to load themſelves ſingly with the infamy which, they knew, muſt attend an action ſo ſhocking to the general ſentiments of mankind. The parliament, they were reſolved, ſhould ſhare with them the reproach of a meaſure which was thought requiſite for the advancement of their common ends of ſafety and ambition. In the houſe of commons, therefore, a committee was appointed to bring in a charge againſt the king. On their report a vote paſſed declaring it treaſon in a king to levy war againſt his parliament, and appointing a *HIGH COURT OF JUSTICE* to try Charles for this new invented treaſon. This vote was ſent up to the houſe of peers.

THE houſe of peers, during the civil wars, had, all along, been of ſmall account; but it had lately, ſince the king's fall, become totally contemptible; and very few members would ſubmit to the mortification of attending it. It happened, that day, to be fuller than uſual, and they were aſſembled, to the number of ſixteen. Without one diſſenting voice, and almoſt without deliberation, they inſtantly rejected the vote of the lower houſe, and adjourned themſelves for ten days; hoping, that this delay would be able to retard the furious career of the commons.

1649. THE commons were not to be ſtopped by ſo ſmall an obſtacle. Having firſt eſtabliſhed a principle, which is noble in itſelf, and ſeems ſpecious, but is belied by all hiſtory and experience, *That the people are the origin of all juſt power*; they next declared, that the commons of England, aſſembled in parliament, being choſen by the people, and, repreſenting them, are the ſupreme authority of the nation, and that whatever is enacted and declared to be law by the commons, hath the force of law, without the conſent of king or houſe of peers. The

January 4.

[r] Whitlocke.

ordinance for the trial of Charles Stuart, king of England, ſo they called him, was again read, and unanimouſly aſſented to.

IN proportion to the enormity of the violences and uſurpations, were augmented the pretences of ſanctity, among thoſe regicides. "Should "any one have voluntarily propoſed," ſaid Cromwel in the houſe, "to "bring the king to puniſhment, I ſhould have regarded him as the greateſt "traitor; but, ſince providence and neceſſity have caſt us upon it, I will "pray to God for a bleſſing on your counſels; though I am not prepared "to give you any advice on this important occaſion. Even I myſelf," ſubjoined he, "when I was lately offering up petitions for his majeſty's "reſtoration, felt my tongue cleave to the roof of my mouth, and con-"ſidered this preternatural movement as the anſwer which heaven, having "rejected the king, had ſent to my ſupplications."

A WOMAN of Hertfordſhire, illuminated by prophetical viſions, deſired admittance into the military council, and communicated to the officers a revelation, which aſſured them, that their meaſures were conſecrated from above, and ratified by a heavenly ſanction. This intelligence gave them great comfort, and much confirmed them in their preſent reſolutions[s].

COLONEL Harriſon, the ſon of a butcher, and the moſt furious enthuſiaſt in the army, was ſent with a ſtrong party to conduct the king to London. At Windſor, Hamilton, who was there detained a priſoner was admitted into the king's preſence; and falling on his knees, paſſionately exclaimed, *My dear maſter!—I have indeed been ſo to you*, replied Charles, embracing him. No farther intercourſe was allowed between them. The king was inſtantly hurried away. Hamilton long followed him with his eyes, all ſuffuſed in tears, and prognoſticated, that, in this ſhort ſalutation, he had given the laſt adieu to his ſovereign and his friend.

CHARLES himſelf was aſſured, that the period of his life was now approaching; but notwithſtanding all the preparations which were making, and the intelligence which he received, he could not, even yet, believe, that his enemies really meant to conclude their violences by a public trial and execution. A private aſſaſſination he every moment looked for; and though Harriſon aſſured him, that his apprehenſions were entirely groundleſs, it was by that cataſtrophe, ſo frequent with dethroned princes, that he expected to terminate his life. In appearance, as well as in reality, the king was now dethroned. All the exterior ſymbols of ſovereignty were withdrawn, and his attendants had orders to ſerve him without ceremony. At firſt, he was ſhocked with inſtances of rudeneſs and familiarity, to which he had been ſo little accuſtomed. *Nothing ſo contemptible as a deſpiſed prince!* was the reflection which they ſuggeſted to him. But he ſoon reconciled his mind to this, as he had done to his other calamities.

[s] Whitlocke, p. 360.

ALL the circumſtances of the trial were now adjuſted; and the high court of juſtice fully conſtituted. It conſiſted of 133 perſons, as named by the commons; but there ſcarcely ever ſat above 70: So difficult was it, notwithſtanding the blindneſs of prejudice, and the allurements of intereſt, to engage men of any name or character in that criminal meaſure. Cromwel, Ireton, Harriſon, and the chief officers of the army, moſt of them of mean birth, were members, together with ſome of the lower houſe and ſome citizens of London. The twelve judges were at firſt appointed in the number; But as they had affirmed, that it was contrary to all the ideas of Engliſh law to try the king for treaſon, by whoſe authority all accuſations for treaſon muſt neceſſarily be conducted; their names, as well as thoſe of ſome peers, were afterwards ſtruck out. Bradſhaw, a lawyer, was choſen preſident. Coke was appointed ſolicitor for the people of England. Doriſlaus, Steel and Aſke, were named aſſiſtants. The court ſat in Weſtminſter-hall.

IT is remarkable, that, in calling over the court, when the crier pronounced the name of Fairfax, which had been inſerted in the number, a voice came from one of the ſpectators, and cried, *He has more wit than to be here.* When the charge was read againſt the king, *In the name of the people of England;* the ſame voice exclaimed, *Not a tenth part of them.* Axtel the officer, who guarded the court, giving orders to fire into the box whence theſe inſolent ſpeeches came; it was diſcovered that lady Fairfax was there, and that it was ſhe who had had the courage to utter them. She was a perſon of noble extraction, daughter of Horace, lord Vere of Tilbury; but being ſeduced by the violence of the times ſhe had long ſeconded her huſband's zeal againſt the royal cauſe, and was now, as well as he, ſtruck with abhorrence at the fatal and unexpected conſequence of all his boaſted victories.

1649. The king's trial.

THE pomp and dignity, the ceremony of this tranſaction, correſponded to the greateſt conception that is ſuggeſted in the annals of human kind; the delegates of a great people ſitting in judgement upon their ſupreme magiſtrate, and trying him for his miſgovernment and breach of truſt. The ſolicitor, in the name of the commons, repreſented, that Charles Stuart, being admitted king of England, and *entruſted* with a limited power; yet nevertheleſs, from a wicked deſign to erect an unlimited and tyrannical government, had traiterouſly and maliciouſly levied war againſt the preſent parliament, and the people whom they repreſented, and was therefore impeached as a tyrant, traitor, murderer, and a public and implacable enemy to the commonwealth. After the charge was finiſhed, the preſident directed his diſcourſe to the king, and told him, that the court expected his anſwer.

THE king, though long detained a priſoner, and now produced as a cri-

minal, ſuſtained, by his magnanimous courage, the majeſty of a monarch. With great temper and dignity, he declined the authority of the court, and refuſed to ſubmit himſelf to their juriſdiction. He repreſented, that, having been engaged in treaty with his two houſes of parliament, and having finiſhed almoſt every article, he had expected to be brought to his capital in another manner, and ere this time, to have been reſtored to his power, dignity, revenue, as well as to his perſonal liberty: That he could not now perceive any appearance of the upper houſe, ſo eſſential a member of the conſtitution; and had learned, that even the commons, whoſe authority was pretended, were ſubdued by lawleſs force, and were bereaved of their liberty: That he himſelf was their NATIVE HEREDITARY KING; nor was the whole authority of the ſtate, though free and united, intitled to try him, who derived his dignity from the Supreme Majeſty of Heaven: That, admitting thoſe extravagant principles which levelled all orders of men, the court could plead no power delegated by the people; unleſs the conſent of every individual, down to the meaneſt and moſt ignorant peaſant, had been previouſly aſked and obtained: That he acknowledged, without ſcruple, that he had a *truſt* committed to him, and one moſt ſacred and inviolable; he was entruſted with the liberties of his people, and would not now betray them, by recognizing a power, founded on the moſt atrocious violence and uſurpation: That having taken arms, and frequently expoſed his life in defence of public liberty, of the conſtitution, of the fundamental laws of the kingdom, he was willing, in this laſt and moſt ſolemn ſcene, to ſeal with his blood thoſe precious rights for which, though in vain, he had ſo long contended: That thoſe who arrogated a title to ſit as his judges, were born his ſubjects, and born ſubjects to thoſe laws, which determined, *That the king can do no wrong*: That he was not reduced to the neceſſity of ſheltering himſelf under this general maxim, which guards every Engliſh monarch, even the leaſt deſerving; but was able, by the moſt ſatisfactory reaſons, to juſtify thoſe meaſures in which he had been engaged: That to the whole world, and even to them, his pretended judges, he was deſirous, if called upon in another manner, to prove the integrity of his conduct, and aſſert the juſtice of thoſe defenſive arms, to which, unwillingly and unfortunately, he had had recourſe: But that, in order to preſerve a uniformity of conduct, he muſt, at preſent, forego the apology of his innocence; leſt by ratifying an authority, no better founded than that of robbers and pirates, he be juſtly branded as the betrayer, inſtead of being applauded as the martyr, of the conſtitution.

THE preſident, in order to ſupport the majeſty of the people, and maintain the ſuperiority of his court above the priſoner, ſtill inculcated, that he muſt not decline the authority of his judges; that they over-ruled his objections; that they were delegated by the people, the only ſource of every lawful power; and that kings themſelves acted but in truſt from that com-

munity, which had inveſted this high court of juſtice with its juriſdiction. Even according to thoſe principles which, in his preſent ſituation, he was perhaps obliged to adopt, his behaviour, in general, will appear not a little harſh and barbarous; but when we conſider him as a ſubject, and one too of no high character, addreſſing himſelf to his unfortunate ſovereign, his ſtyle will be eſteemed, to the laſt degree, audacious and inſolent.

THREE times was Charles produced before the court, and as often declined their juriſdiction. On the fourth, the judges having examined ſome witneſſes, by whom it was proved, that the king had appeared in arms againſt the forces commiſſioned by the parliament; they pronounced ſentence againſt him. He ſeemed very anxious, at this time, to be admitted to a conference with the two houſes; and it was ſuppoſed, that he intended to reſign the crown to his ſon: But the court refuſed compliance, and conſidered that requeſt as nothing but a delay of juſtice.

1646. 27th Jan.

IT is confeſſed, that the king's behaviour, during this laſt ſcene of his life, does honour to his memory: and that, in all appearances before his judges, he never forgot his part, either as a prince or as a man. Firm and intrepid, he maintained, in each reply, the utmoſt perſpicuity and juſtneſs both of thought and expreſſion: Mild and equable, he roſe into no paſſion at that unuſual authority which was aſſumed over him. His ſoul, without effort or affectation, ſeemed only to remain in the ſituation familiar to it, and to look down with contempt on all the efforts of human malice and iniquity. The ſoldiers, inſtigated by their ſuperiors, were brought, though with difficulty, to cry aloud for juſtice: *Poor ſouls!* ſaid the king to one of his attendants; *for a little money they would do as much againſt their commanders* [t]. Some of them were permitted to go to the utmoſt length of brutal inſolence, and to ſpit in his face, as he was conducted along the paſſage to the court. To excite a ſentiment of piety was the only effect which this inhuman inſult was able to produce upon him.

THE people, though under the rod of lawleſs, unlimited power, could not forbear, with the moſt ardent prayers, pouring forth their wiſhes for his preſervation; and in his preſent diſtreſs, they avowed *him*, by their generous tears, for their monarch, whom, in their miſguided fury, they had before ſo violently rejected. The king was ſoftened at this moving ſcene, and expreſſed his gratitude for their dutiful affection. One ſoldier too, ſeized by contagious ſympathy, demanded from heaven a bleſſing on oppreſſed and fallen majeſty: His officer, overhearing the prayer, beat him to the ground in the king's preſence. *The puniſhment, methinks, exceeds the offence!* This was the reflection which Charles formed on that occaſion [u].

AS ſoon as the intention of trying the king was known in foreign coun-

[t] Ruſh. vol. viii. p. 1425. [u] Warwic, p. 339.

tries, ſo enormous an action was exclaimed againſt by the general voice of reaſon and humanity; and all men, under whatever form of government they were born, rejected this example, as the utmoſt effort of undiſguiſed uſurpation, and the moſt heinous inſult on law and juſtice. The French ambaſſador, by orders from his court, interpoſed in the king's behalf: The Dutch employed their good offices: The Scots exclaimed and proteſted againſt the violence: The queen, the prince, wrote pathetic letters to the parliament. All ſolicitations were found fruitleſs with men whoſe reſolutions were fixed and irrevocable.

FOUR of Charles's friends, perſons of virtue and dignity, Richmond, Hertford, Southampton, Lindeſey, applied to the commons. They repreſented, that they were the king's counſellors, and had concurred, by their advice, in all thoſe meaſures, which were now imputed as crimes to their royal maſter: That, in the eye of the law, and according to the dictates of common reaſon, they alone were guilty, and were alone expoſed to cenſure for every blameable action of the prince: And that they now preſented themſelves, in order to ſave, by their own puniſhment, that precious life, which it became the commons themſelves and every ſubject, with the utmoſt hazard, to protect and defend [w]. Such a generous effort tended to their honour; but contributed nothing towards the king's ſafety.

THE people remained in that ſilence and aſtoniſhment which all great paſſions when they have not an opportunity of exerting themſelves, naturally produce in the human mind. The ſoldiers, being inceſſantly plied with prayers, ſermons, and exhortations, were wrought up to a degree of fury, and imagined, that in the acts of the moſt extreme diſloyalty towards their prince, conſiſted their greateſt merit in the eye of heaven [x].

THREE days were allowed the king between his ſentence and his execution. This interval he paſſed with great tranquillity, chiefly in reading and devotion. All his family which remained in England were allowed acceſs to him. It conſiſted only of the princeſs Elizabeth and the duke of Gloceſter; for the duke of York had made his eſcape. Gloceſter was little more than an infant: The princeſs, notwithſtanding her tender years, ſhewed an advanced judgement; and the calamities of her family had made a deep impreſſion upon her. After many pious conſolations and advices, the king gave her in charge to tell the queen, that, during the whole courſe of his life, he had never once, even in thought, failed in his fidelity towards her; and that his conjugal tenderneſs and his life ſhould have an equal duration.

To the young duke too, he could not forbear giving ſome advice, in order to ſeaſon his mind with early principles of loyalty and obedience to-

[w] Perinchef, p. 85. Lloyde, p. 319. [x] Burnet's Hiſtory of his own times.

wards his brother who was ſo ſoon to be his ſovereign. Holding him on his knee, he ſaid, "Now they will cut off thy father's head." At theſe words "the child looked very ſtedfaſtly upon him. "Mark, child! what I ſay: "They will cut off my head! and perhaps make thee a king: But mark "what I ſay, thou muſt not be a king, as long as thy brothers, Charles and "James are alive. They will cut off thy brothers' heads, when they can catch "them! And thy head too they will cut off at laſt! Therefore I charge thee, "do not be made a king by them!" The duke, ſighing, replied, "I will be "torn in pieces firſt?" So determined an anſwer, from one of ſuch tender years, filled the king's eyes with tears of joy and admiration.

EVERY night, during this interval, the king ſlept ſound as uſual; though the noiſe of workmen, employed in framing the ſcaffold, and other preparations for his execution, continually reſounded in his ears[y]. The morning of the fatal day he roſe early; and calling Herbert, one of his attendants, he bade him employ more than uſual care in dreſſing him, and preparing him for ſo great and joyful a ſolemnity. Biſhop Juxon, a man endowed with the ſame mild and ſteady virtues, by which the king himſelf was ſo much diſtinguiſhed, aſſiſted him in his devotions, and paid the laſt melancholy duties to his friend and ſovereign.

1649. 30th Jan.

The ſtreet before Whitehall was the place deſtined for the execution: For it was intended, by chooſing that very place, in ſight of his own palace, to diſplay more evidently the triumph of popular juſtice over royal majeſty. When the king came upon the ſcaffold, he found it ſo ſurrounded with ſoldiers, that he could not expect to be heard by any of the people: He addreſſed, therefore, his diſcourſe to the few perſons who were about him; and particulary colonel Tomlinſon, to whoſe care he had lately been committed, and upon whom, as upon many others, his amiable deportment had wrought an entire converſion. He juſtified his own innocence in the late fatal wars, and obſerved, that he had not taken arms till after the parliament had inliſted forces; nor had he any other object in his warlike operations, than to preſerve that authority entire, which his predeceſſors had tranſmitted to him. He threw not, however, the blame upon the parliament; but was more inclined to think, that ill inſtruments had interpoſed, and raiſed in them fears and jealouſies with regard to his intentions. Though innocent towards his people, he acknowledged the equity of his execution in the eyes of his maker; and obſerved, that an unjuſt ſentence which he had ſuffered to take effect, was now puniſhed by an unjuſt ſentence upon himſelf. He forgave all his enemies, even the chief inſtruments of his death; but exhorted them and the whole nation to return to the ways of peace,

and execution.

[y] Clement Walker's Hiſtory of independency.

by paying obedience to their lawful ſovereign, his ſon and ſucceſſor. When he was preparing himſelf for the block, biſhop Juxon called to him: "There is, Sir, but one ſtage more, which, though turbulent and "troubleſome, is yet a very ſhort one. Conſider, it will ſoon carry you "a great way; it will carry you from earth to heaven; and there you "ſhall find to your great joy, the prize to which you haſten, a crown of "glory". "I go," replied the king, "from a corruptible to an incor-"ruptible crown; where no diſturbance can have place." At one blow was his head ſevered from his body. A man in a vizor performed the office of executioner: Another, in a like diſguiſe, held up to the ſpectators, the head, ſtreaming with blood, and cried aloud, *This is the head of a traitor!*

IT is impoſſible to deſcribe the grief, indignation, and aſtoniſhment, which, took place, not only among the ſpectators, who were overwhelmed with a flood of ſorrow, but throughout the whole nation, as ſoon as the report of this fatal execution was conveyed to them. Never monarch, in the full triumph of ſucceſs and victory, was more dear to his people, than his misfortunes and his magnanimity, his patience and piety, had rendered this unhappy prince. In proportion to their former deluſions, which had animated them againſt him, was their violence to return to duty and affection; while each reproached himſelf, either with active diſloyalty towards him, or with too indolent defence of this oppreſſed cauſe. On weaker minds, the effect of theſe complicated paſſions was prodigious. Women are ſaid to have caſt forth the untimely fruit of their womb: Others fell into convulſions, or ſunk into ſuch a melancholy as attended them to their grave: Nay ſome, unmindful of themſelves, as though they could not, or would not, ſurvive their beloved prince, it is reported, ſuddenly fell down dead. The very pulpits, were bedewed with unſuborned tears: thoſe pulpits, which had formerly thundered out the moſt violent imprecations and anathemas againſt him. And all men united in their deteſtation of thoſe hypocritical parricides, who, by ſanctified pretences, had ſo long diſguiſed their treaſons, and in this laſt act of iniquity, had thrown an indelible ſtain upon the nation.

A FRESH inſtance of hypocriſy was diſplayed the very day of the king's death. The generous Fairfax, not content with being abſent from the trial, had uſed all the intereſt which he yet retained, to prevent the execution of the fatal ſentence; and had even employed perſuaſion with his own regiment, though none elſe ſhould follow him, to reſcue the king from his diſloyal murderers. Cromwel and Ireton, informed of this intention endeavoured to convince him, that the Lord had rejected the king; and they exhorted him to ſeek by prayer ſome direction from heaven on this important occaſion: But they concealed from him that they had already ſigned the warrant for the execution. Harriſon was the perſon ap-

pointed to join in prayer with the unwary general. By agreement, he prolonged his doleful cant, till intelligence arrived that the fatal blow was ſtruck. He then roſe from his knees, and inſiſted with Fairfax, that this event was a miraculous and providential anſwer, which heaven had ſent to their devout ſupplications [z].

IT being remarked, that the king, the moment before he ſtretched out his neck to the executioner, had ſaid to Juxon, with a very earneſt accent, the ſingle word, REMEMBER; great myſteries were ſuppoſed to be concealed under that expreſſion; and the generals vehemently inſiſted with the prelate, that he ſhould inform them of the king's meaning. Juxon told them, that the king, having frequently charged him to inculcate on his ſon the forgiveneſs of his murderers, had taken this opportunity, in the laſt moment of his life, when his commands, he ſuppoſed, would be regarded as ſacred and inviolable, to re-iterate that deſire; and that his mild ſpirit thus terminated its preſent courſe, by an act of benevolence towards his greateſt enemies.

and character.

THE character of this prince, as that of moſt men, if not of all men, was mixed; but his virtues predominated extremely above his vices, or, more properly ſpeaking, his imperfections: For ſcarce any of his faults roſe to that pitch as to merit the appellation of vices. To conſider him in the moſt favourable light, it may be affirmed, that his dignity was free from pride, his humanity from weakneſs, his bravery from raſhneſs, his temperance from auſterity, his frugality from avarice: All theſe virtues, in him, maintained their proper bounds, and merited unreſerved praiſe. To ſpeak the moſt harſhly of him, we may affirm, that many of his good qualities were attended with ſome latent frailty, which, though ſeemingly inconſiderable, was able, when ſeconded by the extreme malevolence of his fortune, to diſappoint them of all their influence: His beneficent diſpoſition was clouded by a manner not very gracious; his virtue was tinctured with ſuperſtition; his good ſenſe was diſfigured by a deference to perſons of a capacity inferior to his own; and his moderate temper exempted him not from haſty and precipitate reſolutions. He deſerves the epithet of a good, rather than of a great man; and was more fitted to rule in a regular eſtabliſhed government, than either to give way to the encroachments of a popular aſſembly, or finally to ſubdue their pretenſions. He wanted ſuppleneſs and dexterity ſufficient for the firſt meaſure: He was not endowed with the vigour requiſite for the ſecond. Had he been born an abſolute prince, his humanity and good ſenſe had rendered his reign happy and his memory precious: Had the limitations on prerogative been in his time, quite fixed and certain, his integrity had made him regard, as ſacred, the boun-

[z] Herbert, p. 135.

daries of the conſtitution. Unhappily, his fate threw him into a period, when the precedents of many former reigns favoured ſtrongly of arbitrary power, and the genius of the people ran violently towards liberty. And if his political prudence was not ſufficient to extricate him from ſo perilous a ſituation, he may be excuſed; ſince, even after the event, when it is commonly eaſy to correct all errors, one is at a loſs to determine what conduct, in his circumſtances, could have maintained the authority of the crown, and preſerved the peace of the nation. Expoſed, without revenue, without arms, to the aſſault of furious, implacable, and bigoted factions, it was never permitted him, but with the moſt fatal conſequences, to commit the ſmalleſt miſtake; a condition too rigorous to be impoſed on the greateſt human capacity.

SOME hiſtorians have raſhly queſtioned the good faith of this prince: But, for this reproach, the moſt malignant ſcrutiny of his conduct, which in every circumſtance, is now thoroughly known, affords not any reaſonable foundation. On the contrary, if we conſider the extreme difficulties, to which he was ſo frequently reduced, and compare the ſincerity of his profeſſions and declarations; we ſhall avow, that probity and honour ought juſtly to be numbered among his moſt ſhining qualities. In every treaty, thoſe conceſſions which he thought he could not in conſcience maintain, he never, could, by any motive or perſuaſion, be induced to make. And though ſome violations of the petition of right may perhaps be imputed to him; theſe are more to be aſcribed to the neceſſity of his ſituation, and to the lofty ideas of royal prerogative, which, from former eſtabliſhed precedents, he had imbibed, than to any failure in the integrity of his principles [a].

THIS prince was of a comely preſence: of a ſweet, but melancholy aſpect. His face was regular, handſome, and well complexioned; his body ſtrong, healthy, and juſtly proportioned; and being of a middle ſtature, he was capable of enduring the greateſt fatigues. He excelled in horſemanſhip and other exerciſes; and he poſſeſſed all the exterior, as well as many of the eſſential qualities, which form an accompliſhed prince.

THE tragical death of Charles begat a queſtion, whether the people, in any caſe, were entitled to judge and puniſh their ſovereign; and moſt men, regarding chiefly the atrocious uſurpation of the pretended judges, and the merit of the virtuous prince who ſuffered, were inclined to condemn the republican principle, as highly ſeditious and extravagant: But there ſtill were a few, who, abſtracting from the particular circumſtances of this caſe, were able to conſider the queſtion in general, and were inclined to moderate, not contradict, the prevailing ſentiment. Such might have been

[a] See note [OO] at the end of the volume.

their reaſoning. If ever, on any occaſion, it were laudable to conceal truth from the populace; it muſt be confeſſed, that the doctrine of reſiſtance affords ſuch an example; and that all ſpeculative reaſoners ought to obſerve, with regard to this principle, the ſame cautious ſilence, which the laws, in every ſpecies of government, have ever preſcribed to themſelves. Government is inſtituted in order to reſtrain the fury and injuſtice of the people; and being always founded on opinion, not on force, it is dangerous to weaken, by theſe ſpeculations, the reverence which the multitude owe to authority, and to inſtruct them beforehand, that the caſe can ever happen, when they may be freed from their duty of allegiance. Or ſhould it be found impoſſible to reſtrain the licence of human diſquiſitions, it muſt be acknowledged that the doctrine of obedience ought alone to be *inculcated*, and that the exceptions, which are rare, ought ſeldom or never to be mentioned in popular reaſonings and diſcourſes. Nor is there any danger, that mankind, by this prudent reſerve, ſhould univerſally degenerate into a ſtate of abject ſervitude. When the exception really occurs, even though it be not previously expected and deſcanted on, it muſt, from its very nature, be ſo obvious and undiſputed, as to remove all doubt, and overpower the reſtraint, however great, impoſed by teaching the general doctrine of obedience. But between reſiſting a prince and dethroning him, there is a wide interval; and the abuſes of power, which can warrant the latter violence, are greater and more enormous, than thoſe which will juſtify the former. Hiſtory, however, ſupplies us with examples even of this kind; and the reality of the ſuppoſition, though, for the future, it ought ever to be little looked for, muſt, by all candid enquirers, be acknowledged in the paſt. But between dethroning a prince and puniſhing him, there is another very wide interval; and it were not ſtrange, if even men of the moſt enlarged thought ſhould queſtion, whether human nature could ever in any monarch, reach that height of depravity, as to warrant in revolted ſubjects, this laſt act of extraordinary juriſdiction. That illuſion, if it be an illuſion, which teaches us to pay a ſacred regard to the perſons of princes, is ſo ſalutary, that to diſſipate it by the formal trial and puniſhment of a ſovereign, will have more pernicious effects upon the people, than the example of juſtice can be ſuppoſed to have a beneficial influence upon princes by checking their career of tyranny. It is dangerous alſo, by theſe examples, to reduce princes to deſpair, or bring matters to ſuch extremities againſt perſons endowed with great power, as to leave them no reſource, but in the moſt violent and moſt ſanguinary counſels. This general poſition being eſtabliſhed, it muſt, however, be obſerved, that no reader, almoſt of any party or principle, was ever ſhocked, when he read, in ancient hiſtory, that the Roman ſenate voted Nero, their abſolute ſovereign, to be a public enemy, and, even without trial, condemned him to the ſevereſt and moſt ignominious puniſhment; a puniſhment, from

which the meaneſt Roman citizen, was by the laws, exempted. The crimes of that bloody tyrant are ſo enormous, that they break through all rules; and extort a confeſſion, that ſuch a dethroned prince is no longer ſuperior to his people, and can no longer plead, in his own defence, laws, which were eſtabliſhed for conducting the ordinary courſe of adminiſtration. But when we paſs from the caſe of Nero to that of Charles, the great diſproportion, or rather total contrariety, of character immediately ſtrikes us; and we ſtand aſtoniſhed, that, among a civilized people, ſo much virtue could ever meet with ſo fatal a cataſtrophe. Hiſtory, the great miſtreſs of wiſdom, furniſhes examples of all kinds; and every prudential, as well as moral precept, may be authorized by thoſe events, which her enlarged mirror is able to preſent to us. From the memorable revolutions, which paſſed in England during this period, we may naturally deduce the ſame uſeful leſſon, which Charles himſelf in his later years, inferred; that it is dangerous for princes, even from the appearance of neceſſity, to aſſume more authority, than the laws have allowed them. But, it muſt be confeſſed, that theſe events furniſh us with another inſtruction, no leſs natural, and no leſs uſeful, concerning the madneſs of the people, the furies of fanaticiſm, and the danger of mercenary armies.

In order to cloſe this part of Britiſh hiſtory, it is alſo neceſſary to relate the diſſolution of the monarchy in England: That event ſoon followed upon the death of the monarch. When the peers met, on the day appointed in their adjournment, they entered upon buſineſs, and ſent down ſome votes to the commons, of which the latter deigned not to take the leaſt notice. In a few days, the lower houſe paſſed a vote, that they would make no more addreſſes to the houſe of peers, nor receive any from them; and that that houſe was uſeleſs and dangerous, and was therefore to be aboliſhed. A like vote paſſed with regard to the monarchy; and it is remarkable, that Martin, a zealous republican, in the debate on this queſtion, confeſſed, that, if they deſired a king, the laſt was as proper as any gentleman in England [b]. The commons ordered a new great ſeal to be engraved, on which that aſſembly was repreſented, with this legend, *ON THE FIRST YEAR OF FREEDOM BY GOD'S BLESSING RESTORED*, 1648. The forms of all public buſineſs were changed, from the king's name, to that of the keepers of the liberties of England [c]. And it was declared high treaſon to proclaim, or any otherwiſe acknowledge Charles Stuart, commonly called prince of Wales. 1649. 6th Feb.

THE commons intended, it is ſaid, to bind the princeſs Elizabeth ap-

[b] Walker's hiſtory of independency, part 2.

[c] The court of King's Bench was called the court of Public bench. So cautious on this head were ſome of the republicans, that it is pretended in reciting the Lord's prayer, they would not ſay *thy kingdom come*, but always *thy commonwealth come*.

prentice to a button-maker: The duke of Gloceſter was to be taught ſome other mechanical employment. But the former ſoon died; of grief, as is ſuppoſed, for her father's tragical end: The latter was, by Cromwel, ſent beyond ſea.

THE king's ſtatue, in the Exchange, was thrown down; and on the pedeſtal theſe words were inſcribed: *EXIT TYRANNUS, REGUM ULTIMUS; The tyrant is gone, the laſt of the kings.*

DUKE HAMILTON was tried by a new high court of juſtice, as earl of Cambridge in England; and condemned for treaſon. This ſentence which was certainly hard, but which ought to ſave his memory from all imputations of treachery to his maſter, was executed on a ſcaffold, erected before Weſtminſter-hall. Lord Capel underwent the ſame fate. Both theſe noblemen had eſcaped from priſon, but were afterwards diſcovered and taken. To all the ſolicitations of their friends for pardon, the generals and parliamentary leaders ſtill replied, that it was certainly the intention of providence they ſhould ſuffer; ſince it had permitted them to fall into the hands of their enemies, after they had once recovered their liberty.

THE earl of Holland loſt his life by a like ſentence. Though of a polite and courtly behaviour, he died lamented by no party. His ingratitude to the king, and his frequent changing of ſides, were regarded as great ſtains on his memory. The earl of Norwich and Sir John Owen, being condemned by the ſame court, were pardoned by the commons.

THE king left ſix children; three males, Charles, born in 1630, James duke of York, born in 1633, Henry duke of Gloceſter, born in 1641; and three females, Mary princeſs of Orange, born 1631, Elizabeth, born 1635, and Henrietta, afterwards ducheſs of Orleans born at Exeter 1644.

THE archbiſhops of Canterbury in this reign were Abbot and Laud: The lord keepers, Williams, biſhop of Lincoln, lord Coventry, lord Finch, lord Littleton, and Sir Richard Lane; the high admirals, the duke of Buckingham and the earl of Northumberland; the treaſurers, the earl of Marlborough, the earl of Portland, Juxon, biſhop of London, and lord Cottington; the ſecretaries of ſtate, lord Conway, Sir Albertus Moreton, Coke, Sir Henry Vane, lord Falkland, lord Digby, and Sir Edward Nicholas.

IT may be expected, that we ſhould here mention the *Icon Baſilike* a work publiſhed in the king's name a few days after his execution. It ſeems almoſt impoſſible, in the controverted parts of hiſtory, to ſay any thing which will ſatisfy the zealots of both parties: But with regard to the genuineneſs of that production, it is not eaſy for any hiſtorian to fix any opinion, which will be entirely to his own ſatisfaction. The proofs brought to evince, that this work is or is not the king's, are ſo convincing,

that, if an impartial reader peruſe any one ſide apart [d], he will think it impoſſible, that arguments could be produced, ſufficient to counterbalance ſo ſtrong an evidence: And when he compares both ſides, he will be ſome time at a loſs to fix any determination. Should an abſolute ſuſpence of judgement be found difficult or diſagreeable in ſo intereſting a queſtion, I muſt confeſs, that I much incline to give the preference to the arguments of the royaliſts. The teſtimonies, which prove that performance to be the king's, are more numerous, certain, and direct, than thoſe on the other ſide. This is the caſe, even if we conſider the external evidence: But when we weigh the internal, derived from the ſtyle and compoſition, there is no manner of compariſon. Theſe meditations reſemble, in elegance, purity, neatneſs, and ſimplicity, the genius of thoſe performances, which we know with certainty to have flowed from the royal pen: But are ſo unlike the bombaſt, perplexed, rhetorical, and corrupt ſtyle of Dr Gauden, to whom they are aſcribed, that no human teſtimony ſeems ſufficient to convince us, that he was the author. Yet all the evidences, which would rob the king of that honour, tend to prove, that Dr. Gauden had the merit of writing ſo fine a performance, and the infamy of impoſing it on the world for the king's.

IT is not eaſy to conceive the general compaſſion excited towards the king, by the publiſhing, at ſo critical a juncture, a work ſo full of piety, meekneſs, and humanity. Many have not ſcrupled to aſcribe to that book the ſubſequent reſtoration of the royal family. Milton compares its effects to thoſe which were wrought on the tumultuous Romans by Anthony's reading to them the will of Cæſar. The *Icon* paſſed through fifty editions in a twelvemonth; and independent of the great intereſt taken in it by the nation, as the ſuppoſed production of their murdered ſovereign, it muſt be acknowledged the beſt proſe compoſition, which, at the time of its publication, was to be found in the Engliſh language.

[d] See on the one hand, Toland's Amyntor, and on the other, Wagſtaffe's vindication of the royal martyr, with Young's addition. We may remark, that Lord Clarendon's total ſilence with regard to this ſubject, in ſo full a hiſtory, compoſed in vindication of the king's meaſures and character, forms a preſumption on Toland's ſide, and a preſumption of which that author was ignorant; the works of the noble hiſtorian not being then publiſhed. Biſhop Burnet's teſtimony too muſt be allowed of ſome weight againſt the *Icon*.

THE COMMONWEALTH.

CHAP. LX.

State of England——Of Scotland——Of Ireland——Levellers ſuppreſſed——Siege of Dublin raiſed——Tredah ſtormed——Covenanters——Montroſe taken priſoner——Executed——Covenanters——Battle of Dunbar——Of Worceſter——King's eſcape——The commonwealth——Dutch war——Diſſolution of the parliament.

1649 State of England. THE confuſions, which overſpread England after the murder of Charles I. proceeded as well from the ſpirit of refinement and innovation, which agitated the ruling party, as from the diſſolution of all that authority, both civil and eccleſiaſtical, by which the nation had ever been accuſtomed to be governed. Every man had framed the model of a republick; and, however new it was, or fantaſtical, he was eager in recommending it to his fellow-citizens, or even impoſing it by force upon them. Every man had adjuſted a ſyſtem of religion, which, being derived from no traditional authority, was peculiar to himſelf; and being founded on ſuppoſed inſpiration, not on any principles of human reaſon, had no means, beſides cant and low rhetoric, by which it could recommend itſelf to others. The levellers inſiſted on an equal diſtribution of power and property, and diſclaimed all dependence and ſubordination. The millenarians or fifth-monarchy-men required, that government itſelf ſhould be aboliſhed, and all human powers be laid in the duſt, in order to pave the way for the dominion of Chriſt, whoſe ſecond coming they ſuddenly expected. The Antinomians even inſiſted, that the obligations of morality and natural law were ſuſpended, and that the elect, guided by an internal principle, more perfect and divine, were ſuperior to the *beggarly elements* of juſtice and humanity. A conſiderable party declaimed againſt tythes and hireling prieſthood, and were reſolved, that the magiſtrate ſhould not ſupport by power or revenue any eccleſiaſtical eſtabliſhment. Another party inveighed againſt the law and its profeſſors; and on pretence of rendering more ſimple the diſtribution of juſtice, were deſirous of aboliſhing the whole ſyſtem of Engliſh juriſprudence, which ſeemed interwoven with monarchical government. Even thoſe among the republicans, who adopted not ſuch extravagancies, were ſo intoxicated with their ſaintly character, that they ſuppoſed themſelves poſ-

ſeſſed of peculiar privileges; and all profeſſions, oaths, laws, and engagements had, in a great meaſure, loſt their influence over them. The bands of ſociety were every where looſened; and the irregular paſſions of men were encouraged by ſpeculative principles, ſtill more unſocial and irregular.

THE royaliſts, conſiſting of the nobles and more conſiderable gentry, being degraded from their authority and plundered of their property, were inflamed with the higheſt reſentment and indignation againſt thoſe ignoble adverſaries, who had reduced them to ſubjection. The preſbyterians, whoſe credit had firſt ſupported the arms of the parliament, were enraged to find, that, by the treachery or ſuperior cunning of their aſſociates, the fruits of all their ſucceſsful labours were raviſhed from them. The former party, from inclination and principle, zealouſly attached themſelves to the ſon of their unfortunate monarch, whoſe memory they reſpected, and whoſe tragical death they deplored. The latter caſt their eye towards the ſame object; but they had ſtill many prejudices to overcome, many fears and jealouſies to be allayed, ere they could cordially entertain thoughts of reſtoring the family, which they had ſo grievouſly offended, and whoſe principles they regarded with ſuch violent abhorrence.

THE only ſolid ſupport of the republican independent faction, which, though it formed ſo ſmall a part of the nation, had violently uſurped the government of the whole, was a numerous army of near fifty thouſand men. But this army, formidable from its diſcipline and courage, as well as its numbers, was actuated by a ſpirit, that rendered it dangerous to the aſſembly, which had aſſumed the command over it. Accuſtomed to indulge every chimera in politics, every frenzy in religion, the ſoldiers knew little of the ſubordination of citizens, and had only learned, from apparent neceſſity, ſome maxims of military obedience. And while they ſtill maintained, that all thoſe enormous violations of law and equity, of which they had been guilty, were juſtified by the ſucceſs with which Providence had bleſſed them; they were ready to break out into any new diſorder, wherever they had the proſpect of a like ſanction and authority.

WHAT alone gave ſome ſtability to all theſe unſettled humours, was the great influence, both civil and military, acquired by Oliver Cromwel. This man, ſuited to the age in which he lived, and to that alone, was equally qualified to gain the affection and confidence of men, by what was mean, vulgar, and ridiculous in his character; as to command their obedience by what was great, daring, and enterprizing. Familiar even to buffoonery with the meaneſt centinel, he never loſt his authority: Tranſported to a degree of madneſs with religious extaſies, he never forgot the political purpoſes, to which they might ſerve. Hating monarchy, while a ſubject; deſpiſing liberty, while a citizen; though he retained for a time

all orders of men under a ſeeming obedience to the parliament; he was ſecretly paving the way, by artifice and courage, to his own unlimited authority.

THE parliament, for ſo we muſt henceforth call a ſmall and inconſiderable part of the houſe of commons, having murdered their ſovereign with ſo many appearing circumſtances of ſolemnity and juſtice, and ſo much real violence and even fury, began to aſſume more the air of a civil, legal power, and to enlarge a little the narrow bottom upon which they ſtood. They admitted a few of the excluded and abſent members, ſuch as were liable to leaſt exception; but on condition, that theſe members ſhould ſign an approbation of whatever had been done in their abſence with regard to the king's trial: And ſome of them were willing to acquire a ſhare of power on ſuch terms: The greater part diſdained to lend their authority to ſuch apparent uſurpations. They iſſue ſome writs for new elections, in places where they hoped to have intereſt enough to bring in their own friends and dependants. They named a council of ſtate, thirty-eight in number, to whom all addreſſes were made, who gave orders to all generals and admirals, who executed the laws, and who digeſted all buſineſs before it was ntroduced into parliament [c]. They pretended to employ themſelves enirely in adjuſting the laws, forms, and plan of a new repreſentative; and as ſoon as they ſhould have ſettled the nation, they profeſſed their intention of reſtoring the power to the people, from whom, they acknowledged, they had entirely derived it.

THE commonwealth found every thing in England compoſed into a ſeeming tranquillity by the terror of their arms. Foreign powers, occupied in wars among themſelves, had no leiſure or inclination to interpoſe in the domeſtic diſſenſions of this iſland. The young king, poor and neglected, living ſometimes in Holland, ſometimes in France, ſometimes in Jerſey, comforted himſelf, amidſt his preſent diſtreſſes, with the hopes of better fortune. The ſituation alone of Scotland and Ireland gave any immediate inquietude to the new republic.

1649. Of Scotland. AFTER the ſucceſſive defeats of Montroſe and Hamilton, and the ruin of their parties, the whole authority in Scotland fell into the hands of Argyle and the rigid churchmen, that party which was moſt averſe to the intereſts of the royal family. Their enmity, however, againſt the independents, who had prevented the ſettlement of preſbyterian diſcipline in England, carried them to embrace oppoſite maxims in their political conduct. Though invited by the Engliſh

[c] Their names were, the earls of Denbigh, Mulgrave, Pembroke, Salſbury, lords Grey and Fairfax, Liſle, Rolles, St. John, Wilde, Bradſhaw, Cromwel, Skippon, Pickering, Maſſam, Haſelrig, Harrington, Vane jun. Danvers, Armine, Mildmay, Conſtable, Pennington, Wilſon, Whitlocke, Martin, Ludlow, Stapleton, Hevingham, Wallop, Hutchinſon, Bond, Popham, Valenton, Walton, Scot, Purefoy, Jones.

parliament to model their government into a republican form, they reſolved ſtill to adhere to monarchy, which had ever prevailed in their country, and which, by the expreſs terms of their covenant, they had engaged to defend. They conſidered beſides, that as the property of the kingdom lay moſtly in the hands of great families, it would be difficult to eſtabliſh a commonwealth, or without ſome chief magiſtrate, inveſted with royal authority, to preſerve peace or juſtice in the community. The execution, therefore, of the king, againſt which they had always proteſted, having occaſioned a vacancy of the throne, they immediately proclaimed his ſon and ſucceſſor, Charles II.; but upon condition "of his good behaviour "and ſtrict obſervance of the covenant, and his entertaining no other per- "ſons about him but ſuch as were godly men and faithful to that obliga- "tion" Theſe unuſual clauſes, inſerted in the very firſt acknowledgment of their prince, ſufficiently ſhewed their intention of limiting extremely his authority. And the Engliſh commonwealth, having no pretence to interpoſe in the affairs of that kingdom, allowed the Scots, for the preſent, to take their own meaſures in ſettling their government.

THE dominion, which England claimed over Ireland, de- 1649.
manded more immediately their efforts for ſubduing that Of Ireland.
country. In order to convey a juſt notion of Iriſh affairs, it will be neceſſary to look backwards ſome years, and to relate briefly thoſe tranſactions, which had paſt during the memorable revolutions in England. When the late king agreed to that ceſſation of arms with the Popiſh rebels [f], which was become ſo requiſite, as well for the ſecurity of the Iriſh proteſtants as for promoting his intereſts in England, the parliament, in order to blacken his conduct, reproached him with favouring that odious rebellion, and exclaimed loudly againſt the terms of the ceſſation. They even went ſo far as to declare it entirely null and invalid, becauſe finiſhed without their conſent; and to this declaration the Scots in Ulſter, and the earl of Inchiquin, a nobleman of great authority in Munſter, profeſſed to adhere. By their means, the war was ſtill kept alive; but as the dangerous diſtractions in England hindered the parliament from ſending any conſiderable aſſiſtance to their allies in Ireland, the marquis of Ormond, lord lieutenant, being a native of Ireland, and a perſon endowed with great prudence and virtue, formed a ſcheme for compoſing the diſorders of his country, and for engaging the rebel Iriſh to ſupport the cauſe of his royal maſter. There were many circumſtances, which ſtrongly invited the natives of Ireland to embrace the king's party. The maxims of that prince had always led him to give a reaſonable indulgence to the catholics throughout all his dominions; and one principal ground of that enmity, which the puritans profeſſed againſt him, was this tacit toleration. The parlia-

[f] 1643.

ment, on the contrary, even when unprovoked, had ever menaced the papiſts with the moſt rigid reſtraint, if not a total extirpation; and immediately after the Iriſh rebellion, they put to ſale all the eſtates of the rebels, and had engaged the public faith for transferring them to the adventurers, who had already advanced money upon that ſecurity. The ſucceſs, therefore, which the arms of the parliament met with at Naſeby, ſtruck a juſt terror into the Iriſh; and engaged the council of Kilkenny, compoſed of deputies from all the catholic counties and cities, to conclude a peace with the marqueſs of Ormond [g]. They profeſſed to return to their duty and allegiance, engaged to furniſh ten thouſand men for the ſupport of the king's authority in England, and were content with ſtipulating, in return, indemnity for their rebellion, and toleration of their religion.

ORMOND not doubting but a peace, ſo advantageous and even neceſſary to the Iriſh, would be ſtrictly obſerved, advanced with a ſmall body of troops to Kilkenny, in order to concert meaſures for common defence with his new allies. The pope had ſent over to Ireland a nuncio, Rinuccini, an Italian; and this man, whoſe commiſſion empowered him to direct the ſpiritual concerns of the Iriſh, was emboldened, by their ignorance and bigotry, to aſſume the chief authority in the civil government. Foreſeeing that a general ſubmiſſion to the lord-lieutenant would put an end to his own influence, he conſpired with Owen O'Neal, who commanded the native Iriſh in Ulſter, and who bore a great jealouſy to Preſton, the general chiefly truſted by the council of Kilkenny. By concert, theſe two malcontents ſecretly drew forces together, and were ready to fall on Ormond, who remained in ſecurity, truſting to the pacification ſo lately concluded with the rebels. He received intelligence of their treachery, made his retreat with celerity and conduct, and ſheltered his ſmall army in Dublin and the other fortified towns, which ſtill remained in the hands of the proteſtants.

THE nuncio, full of arrogance, levity, and ambition, was not contented with this violation of treaty. He ſummoned an aſſembly of the clergy at Waterford, and engaged them to declare againſt that pacification, which the civil council had concluded with their ſovereign. He even thundered out a ſentence of excommunication againſt all who ſhould adhere to a peace, ſo prejudicial, as he pretended, to the catholic religion; and the deluded Iriſh, terrified with his ſpiritual menaces, ranged themſelves every where on his ſide, and ſubmitted to his authority. Without ſcruple, he carried on war againſt the lord-lieutenant, and threatened with a ſiege the proteſtant garriſons, which were, all of them, very ill provided for defence.

MEANWHILE, the unfortunate king was neceſſitated to take ſhelter in the Scottiſh army; and being there reduced to cloſe confinement, and ſecluded from all commerce with his friends, deſpaired, that his an-

[g] 1646.

thority, or even his liberty, would ever be reſtored to him. He ſent orders to Ormond, if he could not defend himſelf, rather to ſubmit to the Engliſh than to the Iriſh rebels; and accordingly the lord-lieutenant, being reduced to extremities, delivered up Dublin, Tredah, Dundalk and other garriſons to colonel Michael Jones, who took poſſeſſion of them in the name of the Engliſh parliament. Ormond himſelf went over to England, was admitted into the king's preſence, received a grateful acknowledgment for his paſt ſervices, and during ſome time lived in tranquillity near London. But being baniſhed, with the other royaliſts, to a diſtance from that city, and ſeeing every event turn out unfortunately for his royal maſter, and threaten him with a cataſtrophe ſtill more direful, he thought proper to retire into France, where he joined the queen and the prince of Wales.

In Ireland, during theſe tranſactions, the authority of the nuncio prevailed without controul among all the catholics; and that prelate, by his indiſcretion and inſolence, ſoon made them repent of the power, with which they had entruſted him. Prudent men likewiſe were ſenſible of the total deſtruction, which was hanging over the nation from the Engliſh parliament, and ſaw no reſource or ſafety but in giving ſupport to the declining authority of the king. The earl of Clanricarde, a nobleman of an ancient family, a perſon too of merit, who had ever preſerved his loyalty, was ſenſible of the ruin which threatened his countrymen, and was reſolved, if poſſible, to prevent it. He ſecretly formed a combination among the catholics; he entered into a correſpondence with Inchiquin, who preſerved great authority over the proteſtants in Munſter; he attacked the nuncio, whom he chaced out of the iſland; and he ſent to Paris a deputation, inviting the lord-lieutenant to return and take poſſeſſion of his government.

Ormond, on his arrival in Ireland, found the kingdom divided into many factions, among which either open war or ſecret enmity prevailed. The authority of the Engliſh parliament was eſtabliſhed in Dublin, and the other towns, which he himſelf had delivered into their hands. O'Neal maintained his credit in Ulſter; and having entered into a ſecret correſpondence with the parliamentary generals, was more intent on ſchemes for his own perſonal ſafety than anxious for the preſervation of his country or religion. The other Iriſh, divided between their clergy, who were averſe to Ormond, and their nobility, who were attached to him, were very uncertain in their motions and feeble in their meaſures. The Scots in the north, enraged, as well as their other countrymen, againſt the uſurpations of the ſectarian army, profeſſed their adherence to the king; but were ſtill hindered by many prejudices from entering into a cordial union with his lieutenant. All theſe diſtracted councils and contrary humours checked the progreſs of Ormond, and enabled the parliamentary forces in Ireland to main-

tain their ground againſt him. The republican faction, meanwhile, in England, employed in ſubduing the revolted royaliſts, in reducing the parliament to ſubjection, in the trial, condemnation, and execution of their ſovereign, totally neglected the ſupplying of Ireland, and allowed Jones and the forces in Dublin to remain in the utmoſt weakneſs and neceſſity. The lord lieutenant, though ſurrounded with difficulties, neglected not the favourable opportunity of promoting the royal cauſe. Having at laſt aſſembled an army of 16,000 men, he advanced upon the parliamentary garriſons. Dundalk, where Monk commanded, was delivered up by the troops, who mutinied againſt their governor. Trecah, Neury, and other forts were taken. Dublin was threatened with a ſiege; and the affairs of the lieutenant appeared in ſo proſperous a condition, that the young king entertained thoughts of coming in perſon into Ireland.

WHEN the Engliſh commonwealth was brought to ſome tolerable ſettlement, men began to caſt their eyes towards the neighbouring iſland. During the conteſt of the two parties, the government of Ireland had remained a great object of intrigue; and the preſbyterians endeavoured to obtain the lieutenancy for Waller, the independents for Lambert. After the execution of the king, Cromwel himſelf began to aſpire to a command, where ſo much glory, he ſaw, might be won, and ſo much authority acquired. In his abſence, he took care to have his name propoſed to the council of ſtate; and both friends and enemies concurred immediately to vote him into that important office: The former ſuſpected, that the matter had not been propoſed merely by chance, without his own concurrence; the latter deſired to remove him to a diſtance, and hoped, during his abſence, to gain the aſcendant over Fairfax, whom he had ſo long blinded by his hypocritical profeſſions. Cromwel himſelf, when informed of his election, feigned ſurprize, and pretended at firſt to heſitate with regard to the acceptance of the command. And Lambert, either deceived by his diſſimulation, or in his turn feigning to be deceived, ſtill continued, notwithſtanding this diſappointment, his friendſhip and connexions with Cromwel.

1649. 15th March.

THE new lieutenant immediately applied himſelf with his wonted vigilance to make preparations for his expedition. Many diſorders in England it behoved him previouſly to compoſe. All places were full of danger and inquietude. Though men, aſtoniſhed with the ſucceſſes of the army, remained in ſeeming tranquillity, ſymptoms of the greateſt diſcontent every where appeared. The Engliſh, long accuſtomed to a mild adminiſtration, and unacquainted with diſſimulation, could not conform their ſpeech and countenance to the preſent neceſſity, or pretend attachment to a form of government, which they generally regarded with ſuch violent abhorence. It was requiſite to change the magiſtracy of London, and to de-

grade, as well as puniſh, the mayor and ſome of the aldermen, before the proclamation for the abolition of monarchy could be publiſhed in the city. An engagement being framed to ſupport the commonwealth without king or houſe of peers, the army was with ſome difficulty brought to ſubſcribe it; but though it was impoſed upon the reſt of the nation under ſevere penalties, no leſs than putting all who refuſed out of the protection of law; ſuch obſtinate reluctance was obſerved in the people, that even the imperious parliament was obliged to deſiſt from it. The ſpirit of fanaticiſm, by which that aſſembly had at firſt been ſtrongly ſupported, was now turned, in a great meaſure, againſt them. The pulpits, being chiefly filled with preſbyterians, or diſguiſed royaliſts, and having long been the ſcene of news and politics, could by no penalties, be reſtrained from declarations, unfavourable to the eſtabliſhed government. Numberleſs were the extravagances, which broke out among the people. Everard, a diſbanded ſoldier, having preached that the time was now come when the community of goods would be renewed among chriſtians, led out his followers to take poſſeſſion of the land; and being carried before the general, he refuſed to ſalute him; becauſe he was but his fellow-creature [h]. What ſeemed more dangerous: The army itſelf was infected with like humours [i]. Though the levellers had for a time been ſuppreſſed by the audacious ſpirit of Cromwel, they ſtill continued to propagate their doctrines among the private men and inferior officers, who pretended a right to be conſulted, as before, in the adminiſtration of the commonwealth. They now practiſed againſt their officers the ſame leſſon, which they had been taught againſt the parliament. They framed a remonſtrance, and ſent five agitators to preſent it to the general and council of war: Theſe were caſhiered with ignominy by ſentence of a court martial. One Lockier, having carried his ſedition farther, was ſentenced to death; but this puniſhment was ſo far from quelling the mutinous ſpirit, that above a thouſand of his companions ſhowed their adherence to him, by attending his funeral, and wearing in their hats black and ſea-green ribons by way of favours. About four thouſand aſſembled at Burford, under the command of Thomſon, a man formerly condemned for ſedition by a court-martial, but pardoned by the general. Colonel Reynolds, and afterwards Fairfax and Cromwel, fell upon them while unprepared for defence, and ſeduced by the appearance of a treaty. Four hundred were taken priſoners: Some of them capitally puniſhed: The reſt pardoned: And this tumultuous ſpirit, though it ſtill lurked in the army, and broke out from time to time, ſeemed for the preſent to be ſuppreſſed.

1649. May. Levellers ſuppreſſed.

PETITIONS framed in the ſpirit of oppoſition, were preſented to the parliament by lieutenant colonel Lilburn, the perſon who, for diſperſing ſedi-

[h] Whitlocke. [i] See note [PP] at the end of the volume.

tious libels, had formerly been treated with ſuch ſeverity by the ſtar-chamber. His liberty was at this time as ill reliſhed by the parliament, and he was thrown into priſon, as a promoter of ſedition and diſorder in the commonwealth. The women applied by petition for his releaſe; but were now deſired to mind their houſehold affairs, and leave the government of the ſtate to the men. From all quarters, the parliament was haraſſed with petitions of a very free nature, which ſtrongly ſpoke the ſenſe of the nation, and proved how ardently all men longed for the reſtoration of their laws and liberties. Even in a feaſt, which the city gave to the parliament and council of ſtate, it was deemed a requiſite precaution, if we may credit Walker and Dugdale, to ſwear all the cooks, that they would ſerve nothing but wholeſome food to them.

THE parliament judged it neceſſary to enlarge the laws of high-treaſon beyond thoſe narrow bounds, within which they had been confined during the monarchy. They even comprehended verbal offences, nay intentions, though they had never appeared in any overt act againſt the ſtate. To affirm the preſent government to be an uſurpation, to aſſert that the parliament or council of ſtate were tyrannical or illegal, to endeavour ſubverting their authority or ſtirring up ſedition againſt them; theſe offences were declared to be high-treaſon. The power of impriſonment, of which the petition of right had bereaved the king, it was now found neceſſary to reſtore to the council of ſtate; and all the jails in England were filled with men whom the jealouſies and fears of the ruling party had repreſented as dangerous [k]. The taxes continued by the new government, and which being unuſual, were eſteemed heavy, encreaſed the general ill will, under which it laboured. Beſides the cuſtoms and exciſe, ninety thouſand pounds a month were levied on land for the ſubſiſtence of the army. The ſequeſtrations and compoſitions of the royaliſts, the ſale of the crown lands, and of the dean and chapter lands, though they yielded great ſums, were not ſufficient to ſupport the vaſt expences, and as was ſuſpected, the great depredations, of the parliament and of their creatures [l].

AMIDST all theſe difficulties and diſturbances, the ſteddy mind of Cromwel, without confuſion or embarraſſment, ſtill purſued its purpoſe. While he was collecting an army of twelve thouſand men in the weſt of England, he ſent to Ireland, under Reynolds and Venables, a reinforcement of four thouſand horſe and foot, in order to ſtrengthen Jones, and enable him to defend himſelf againſt the marqueſs of Ormond, who lay at Finglaſs, and was making preparations for the attack of Dublin. Inchiquin, who had now made a treaty with the king's lieutenant, having, with a ſeparate body, taken Tredah and Dundalk, gave a defeat to Offarrell who ſerved under O'Neal, and to young Coot who commanded ſome parliamentary

[k] Hiſtory of independency, part II. [l] Parl. Hiſtory, vol. xix. p. 136. 176.

forces. After he had joined his troops to the main army, with whom, for ſome time, he remained united, Ormond paſſed the river Liffy, and took poſt at Rathmines, two miles from Dublin, with a view of commencing the ſiege of that city. In order to cut off all farther ſupply from Jones, he had begun the reparation of an old fort which lay at the gates of Dublin; and being exhauſted with continual fatigue for ſome days, he had retired to reſt, after leaving orders to keep his forces under arms. He was ſuddenly awaked with the noiſe of firing; and, ſtarting from his bed, ſaw every thing already in tumult and confuſion. Jones, an excellent officer, formerly a lawyer, had ſallied out with the reinforcement newly arrived; and, attacking the party employed in repairing the fort, he totally routed them, purſued the advantage, and fell in with the army, which had neglected Ormond's orders. Theſe he ſoon threw into diſorder; put them to flight, in ſpite of all the efforts of the lord lieutenant; chaced them off the field; ſeized all their tents, baggage, ammunition; and returned victorious to Dublin, after killing a thouſand men, and taking above two thouſand priſoners [m].

1649. 2d Auguſt. Siege of Dublin raiſed.

THIS loſs, which threw ſome blemiſh on the military character of Ormond, was irreparable to the royal cauſe. That numerous army, which, with ſo much pains and difficulty, the lord lieutenant hnd been collecting for more than a year, was diſperſed in a moment. Cromwel ſoon after arrived in Dublin, where he was welcomed with ſhouts and rejoicings. He haſtened to Tredah. That town was well fortified: Ormond had thrown into it a good garriſon of three thouſand men, under Sir Arthur Aſton, an officer of reputation. He expected that Tredah, lying in the neighbourhood of Dublin, would firſt be attempted by Cromwel, and he was deſirous to employ the enemy ſome time in that ſiege, while he himſelf ſhould repair his broken forces. But Cromwel knew the importance of diſpatch. Having made a breach, he ordered a general aſſault. Though twice repulſed with loſs, he renewed the attack, and himſelf, along with Ireton, led on his men. All oppoſition was overborne by the furious valour of the troops. The town was taken ſword in hand; and orders being iſſued to give no quarter, a cruel ſlaughter was made of the garriſon. Even a few, who were ſaved by the ſoldiers, ſatiated with blood, were next day miſerably butchered by orders from the general. One perſon alone of the garriſon eſcaped to be a meſſenger of this univerſal havoc and deſtruction.

15th Auguſt.

1649. September, Tredah ſtormed

CROMWEL pretended to retaliate by this ſevere execution the cruelty of the Iriſh maſſacre: But he well knew, that almoſt the whole garriſon was

[m] Parl. Hiſt. vol. xix. p. 165.

Engliſh and his juſtice was only a barbarous policy, in order to terrify all other garriſons from reſiſtance. His policy, however, had the deſired effect. Having led the army without delay to Wexford, he began to batter the town. The garriſon, after a ſlight defence, offered to capitulate; but, before they obtained a ceſſation, they imprudently neglected their guards; and the Engliſh army ruſhed in upon them. The ſame ſeverity was exerciſed as at Tredah.

EVERY town, before which Cromwel preſented himſelf, now opened its gates without reſiſtance. Roſs, though ſtrongly garriſoned, was ſurrounded by lord Taffe. Having taken Eſtionage, Cromwel threw a bridge over the Barrow, and made himſelf maſter of Paſſage and Carric. The Engliſh had no farther difficulties to encounter than what aroſe from fatigue and the advanced ſeaſon. Fluxes and contagious diſtempers creeped in among the ſoldiers, who periſhed in great numbers. Jones himſelf, the brave governor of Dublin, died at Wexford. And Cromwel had ſo far advanced with his decayed army, that he began to find it difficult, either to ſubſiſt in the enemy's country or retreat to his own garriſons. But while he was in theſe ſtraits, Corke, Kinſale, and all the Engliſh garriſons in Munſter, deſerted to him, and opening their gates, reſolved to ſhare the fortunes of their victorious countrymen.

1649. October. November.

THIS deſertion of the Engliſh put an end to Ormond's authority, which was already much diminiſhed by the misfortunes at Dublin, Tredah, and Wexford. The Iriſh, actuated by national and religious prejudices, could no longer be kept in obedience by a proteſtant governor, who was ſo unſucceſsful in all his enterprizes. The clergy renewed their excommunications againſt him and his adherents, and added the terrors of ſuperſtition to thoſe which aroſe from a victorious enemy. Cromwel, having received a reinforcement from England, again took the field early in the ſpring. He made himſelf maſter of Kilkenny and Clonmel, the only places where he met with any vigorous reſiſtance. The whole frame of the Iriſh union being in a manner diſſolved, Ormond, ſoon after, left the iſland, and delegated his authority to Clanricarde, who found affairs ſo deſperate as to admit of no remedy The Iriſh were glad to embrace baniſhment as a refuge. Above 40,000 men paſſed into foreign ſervice; and Cromwel, well-pleaſed to free the iſland from enemies, who never could be cordially reconciled to the Engliſh, gave them full liberty and leiſure for their embarkation.

WHILE Cromwel proceeded with ſuch uninterrupted ſucceſs in Ireland, which in the ſpace of nine months he had almoſt entirely ſubdued, fortune was preparing for him a new ſcene of victory and triumph in Scotland,

Charles was at the Hague when Sir Joſeph Douglas brought him intelligence that he was proclaimed king by the Scottiſh parliament. At the ſame time, Douglas informed him of the hard conditions annexed to the proclamation, and extremely damped that joy, which might ariſe from his being recognized ſovereign in one of his kingdoms. Charles too conſidered that thoſe who pretended to acknowledge his title, were at that very time in actual rebellion againſt his family, and would be ſure to intruſt very little authority in his hands, and ſcarcely would afford him perſonal liberty and ſecurity. As the proſpect of affairs in Ireland was at that time not unpromiſing, he intended rather to try his fortune in that kingdom, from which he expected more dutiful ſubmiſſion and obedience.

MEANWHILE he found it expedient to depart from Holland. The people in the United Provinces were much attached to his intereſts. Beſides his connexion with the family of Orange, which was extremely beloved by the populace, all men regarded with compaſſion his helpleſs condition, and expreſſed the greateſt abhorrence againſt the murder of his father; a deed to which nothing, they thought, but the rage of fanaticiſm and faction could have impelled the parliament. But though the public in general bore great favour to the king, the States were uneaſy at his preſence. They dreaded the parliament, ſo formidable by their power, and ſo proſperous in all their enterprizes. They apprehended the moſt precipitate reſolutions from men of ſuch violent and haughty diſpoſitions. And, after the murder of Doriſlaus, they found it ſtill more neceſſary to ſatisfy the Engliſh commonwealth, by removing the king to a diſtance from them.

DORISLAUS, though a native of Holland, had lived long in England; and being employed as aſſiſtant to the high court of juſtice, which condemned the late king, he had riſen to great credit and favour with the ruling party. They ſent him envoy to Holland; but no ſooner had he arrived at the Hague, than he was ſet upon by ſome royaliſts, chiefly retainers to Montroſe. They ruſhed into the room, where he was ſitting with ſome company; dragged him from the table; put him to death as the firſt victim to their murdered ſovereign; very leiſurely and peaceably ſeparated themſelves; and though orders were iſſued by the magiſtrates to arreſt them, theſe were executed with ſuch ſlowneſs and reluctance, that the criminals had, all of them, the opportunity of making their eſcape.

CHARLES, having paſſed ſome time at Paris, where no aſſiſtance was given him, and even few civilities were paid him, made his retreat into Jerſey, where his authority was ſtill acknowledged. Here Winram, laird of Liberton, came to him as deputy from the committee of eſtates in Scotland, and informed him of the conditions, to which he muſt neceſſarily ſubmit before he could be admitted to the exerciſe of his authority. Condi-

tions more ſevere were never impoſed by ſubjects upon their ſovereign; but as the affairs of Ireland began to decline, and the king found it no longer ſafe to venture himſelf in that iſland, he gave a civil anſwer to Winram, and deſired commiſſioners to meet him at Breda, in order to enter into a treaty with regard to theſe conditions.

1657. The covenanters.

THE earls of Caſſilis and Lothian, lord Burley, the laird of Liberton, and other commiſſioners, arrived at Breda; but without any power of treating: The king muſt ſubmit, without reſerve, to the terms impoſed upon him. The terms were, that he ſhould iſſue a proclamation, baniſhing from court all excommunicated perſons, that is, all thoſe who, either under Hamilton or Montroſe, had ventured their lives for his family; that no Engliſh ſubject, who had ſerved againſt the parliament, ſhould be allowed to approach him; that he ſhould bind himſelf by his royal promiſe to take the covenant; that he ſhould ratify all acts of parliament, by which preſbyterian government, the directory of worſhip, the confeſſion of faith, and the catechiſm were eſtabliſhed; and that in civil affairs he ſhould entirely conform himſelf to the direction of parliament, and in eccleſiaſtical to that of the aſſembly. Theſe propoſals, the commiſſioners, after paſſing ſome time in ſermons and prayers, in order to expreſs the more determined reſolution, very ſolemnly delivered to the king.

THE king's friends were divided with regard to the part which he ſhould act in this critical conjuncture. Moſt of his Engliſh counſellors diſſuaded him from accepting conditions, ſo diſadvantageous and diſhonourable. They ſaid that the men who now governed Scotland, were the moſt furious and bigoted of that party, which, notwithſtanding his gentle government, had firſt excited a rebellion againſt the late king; after the moſt unlimited conceſſions, had renewed their rebellion, and ſtopped the progreſs of his victories in England, and after he had entruſted his perſon to them in his uttermoſt diſtreſs, had baſely ſold him, together with their own honour, to his barbarous enemies: That they had as yet ſhown no marks of repentance, and even in the terms which they now propoſed, diſplayed the ſame antimonarchical principles, and the ſame jealouſy of their ſovereign, by which they had ever been actuated: That nothing could be more diſhonourable than that the king, in his firſt enterprize, ſhould ſacrifice, merely for the empty name of royalty, thoſe principles, for which his father had died a martyr, and in which he himſelf had been ſtrictly educated: That by this hypocriſy he might loſe the royaliſts, who alone were ſincerely attached to him; but never would gain the preſbyterians, who were averſe to his family and his cauſe, and would aſcribe his compliance merely to policy and neceſſity: That the Scots had refuſed to give him any aſſurances of their intending to reſtore him to the throne of England; and could

they even be brought to make ſuch an attempt, it had ſufficiently appeared, by the event of Hamilton's engagement, how unequal their force was to ſo great an enterprize: That on the firſt check which they ſhould receive, Argyle and his partizans would lay hold of the quickeſt expedient for reconciling themſelves to the Engliſh parliament, and would betray the king, as they had done his father, into the hands of his enemies. And that, however deſperate the royal cauſe, it muſt ſtill be regarded as highly imprudent in the king to make a ſacrifice of his honour; where the ſole purchaſe was to endanger his life or liberty.

THE earl of Laneric, now duke of Hamilton, the earl of Lauderdale, and others of that party, who had been baniſhed their country for the late engagement, were then with the king; and being deſirous of returning home in his retinue, they joined the opinion of the young duke of Buckingham and earneſtly preſſed him to ſubmit to the conditions required of him. It was urged, that nothing would more gratify the king's enemies than to ſee him fall into the ſnare laid for him, and by ſo ſcrupulous a nicety, leave the poſſeſſion of his dominions to thoſe who deſired but a pretence for excluding him: That Argyle, not daring ſo far to oppoſe the bent of the nation as to throw off all allegiance to his ſovereign, had embraced this expedient, by which he hoped to make Charles dethrone himſelf, and refuſe a kingdom which was offered him: That it was not to be doubted but the ſame national ſpirit, aſſiſted by Hamilton and his party, would riſe ſtill higher in favour of their prince after he had entruſted himſelf to their fidelity, and would much abate the rigour of the conditions now impoſed upon him: That whatever might be the preſent intentions of the ruling party, they muſt unavoidably be engaged in a war with England, and muſt accept the aſſiſtance of the king's friends of all parties, in order to ſupport themſelves againſt a power ſo much ſuperior: That how much ſoever a ſteddy, uniform conduct might have been ſuitable to the advanced age, and ſtrict engagements of the late king, no one would throw any blame on a young prince for complying with conditions which neceſſity had extorted from him: That even the rigour of thoſe principles, profeſſed by his father, though with ſome it had exalted his character, had been extremely prejudicial to his intereſts; nor could any thing be more ſerviceable to the royal cauſe, than to give all parties room to hope for more equal and more indulgent maxims of government: And that where affairs were reduced to ſo deſperate a ſituation, dangers ought little to be regarded; and the king's honour lay rather in ſhowing ſome early ſymptoms of courage and activity, than in chooſing ſtrictly a party among theological controverſies with which, it might be ſuppoſed, he was, as yet, very little acquainted.

THESE arguments, ſeconded by the advice of the queen mother and of the prince of Orange, the king's brother-in-law, who both of them thought

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THE king's friends were divided with regard to the part which he ſhould act in this critical conjuncture. Moſt of his Engliſh counſellors diſſuaded him from accepting conditions, ſo diſadvantageous and diſhonourable. They ſaid that the men who now governed Scotland, were the moſt furious and bigoted of that party, which, notwithſtanding his gentle government, had firſt excited a rebellion againſt the late king; after the moſt unlimited conceſſions, had renewed their rebellion, and ſtopped the progreſs of his victories in England, and after he had entruſted his perſon to them in his uttermoſt diſtreſs, had baſely ſold him, together with their own honour, to his barbarous enemies: That they had as yet ſhown no marks of repentance, and even in the terms which they now propoſed, diſplayed the ſame antimonarchical principles, and the ſame jealouſy of their ſovereign, by which they had ever been actuated: That nothing could be more diſhonourable than that the king, in his firſt enterprize, ſhould ſacrifice, merely for the empty name of royalty, thoſe principles, for which his father had died a martyr, and in which he himſelf had been ſtrictly educated: That by this hypocriſy he might loſe the royaliſts, who alone were ſincerely attached to him; but never would gain the preſbyterians, who were averſe to his family and his cauſe, and would aſcribe his compliance merely to policy and neceſſity: That the Scots had refuſed to give him any aſſurances of their intending to reſtore him to the throne of England; and could

they even be brought to make ſuch an attempt, it had ſufficiently appeared, by the event of Hamilton's engagement, how unequal their force was to ſo great an enterprize: That on the firſt check which they ſhould receive, Argyle and his partizans would lay hold of the quickeſt expedient for reconciling themſelves to the Engliſh parliament, and would betray the king, as they had done his father, into the hands of his enemies. And that, however deſperate the royal cauſe, it muſt ſtill be regarded as highly imprudent in the king to make a ſacrifice of his honour; where the ſole purchaſe was to endanger his life or liberty.

THE earl of Laneric, now duke of Hamilton, the earl of Lauderdale, and others of that party, who had been baniſhed their country for the late engagement, were then with the king; and being deſirous of returning home in his retinue, they joined the opinion of the young duke of Buckingham and earneſtly preſſed him to ſubmit to the conditions required of him. It was urged, that nothing would more gratify the king's enemies than to ſee him fall into the ſnare laid for him, and by ſo ſcrupulous a nicety, leave the poſſeſſion of his dominions to thoſe who deſired but a pretence for excluding him: That Argyle, not daring ſo far to oppoſe the bent of the nation as to throw off all allegiance to his ſovereign, had embraced this expedient, by which he hoped to make Charles dethrone himſelf, and refuſe a kingdom which was offered him: That it was not to be doubted but the ſame national ſpirit, aſſiſted by Hamilton and his party, would riſe ſtill higher in favour of their prince after he had entruſted himſelf to their fidelity, and would much abate the rigour of the conditions now impoſed upon him: That whatever might be the preſent intentions of the ruling party, they muſt unavoidably be engaged in a war with England, and muſt accept the aſſiſtance of the king's friends of all parties, in order to ſupport themſelves againſt a power ſo much ſuperior: That how much ſoever a ſteddy, uniform conduct might have been ſuitable to the advanced age, and ſtrict engagements of the late king, no one would throw any blame on a young prince for complying with conditions which neceſſity had extorted from him: That even the rigour of thoſe principles, profeſſed by his father, though with ſome it had exalted his character, had been extremely prejudicial to his intereſts; nor could any thing be more ſerviceable to the royal cauſe, than to give all parties room to hope for more equal and more indulgent maxims of government: And that where affairs were reduced to ſo deſperate a ſituation, dangers ought little to be regarded; and the king's honour lay rather in ſhowing ſome early ſymptoms of courage and activity, than in chooſing ſtrictly a party among theological controverſies with which, it might be ſuppoſed, he was, as yet, very little acquainted.

THESE arguments, ſeconded by the advice of the queen mother and of the prince of Orange, the king's brother-in-law, who both of them thought

it ridiculous to refuse a kingdom merely from regard to episcopacy, had great influence on Charles. But what chiefly determined him to comply was the account brought him of the fate of Montrose, who, with all the circumstances of rage and contumely, had been put to death by his zealous countrymen. Though in this instance the king saw more evidently the furious spirit by which the Scots were actuated, he had now no farther resource, and was obliged to grant whatever was demanded of him.

MONTROSE, having laid down his arms at the command of the late king, had retired into France, and contrary to his natural disposition, had lived for some time unactive at Paris. He there became acquainted with the famous cardinal de Retz; and that penetrating judge celebrates him in his memoirs as one of those heroes, of whom there are no longer any remains in the world, and who are only to be met with in Plutarch. Desirous of improving his martial genius, he took a journey to Germany, was caressed by the emperor, received the rank of mareschal, and proposed to levy a regiment for the imperial service. While employed for that purpose in the Low Countries, he heard of the tragical death of the king; and at the same time received from his young master a renewal of his commission of captain general in Scotland [n]. His ardent and daring spirit needed but this authority to put him in action. He gathered followers in Holland and the north of Germany, whom his great reputation allured to him. The king of Denmark and duke of Holstein sent him some small supply of money: The queen of Sweden furnished him with arms: The prince of Orange with ships: And Montrose, hastening his enterprize, lest the king's agreement with the Scots should make him revoke his commission, set out for the Orkneys with about 500 men, most of them Germans. These were all the preparations, which he could make against a kingdom, settled in domestic peace, supported by a disciplined army, fully apprized of his enterprize, and prepared against him. Some of his retainers having told him of a prophesy, that *to him and him alone it was reserved to restore the king's authority in all his dominions*; he lent a willing ear to suggestions, which, however ill grounded or improbable, were so conformable to his own daring character

HE armed several of the inhabitants of the Orkneys, though an unwarlike people, and carried them over with him to Caithness; hoping, that the general affection to the king's service, and the fame of his former exploits, would make the Highlanders flock to his standard. But all men were now harassed and fatigued with wars and disorders: Many of those, who formerly adhered to him, had been severely punished by the covenanters: And no prospect of success was entertained in opposition to so great a force as was drawn together against him. But however weak Montrose's army,

[n] Burnet. Clarendon.

the memory of paſt events ſtruck a great terror into the committee of eſtates. They immediately ordered Leſley and Holborne to march againſt him with an army of 4000 men. Strahan was ſent before with a body of cavalry to check his progreſs. He fell unexpectedly on Montroſe, who had no horſe to bring him intelligence. The royaliſts were put to flight; all of them either killed or taken priſoners; and Montroſe himſelf, having put on the diſguiſe of a peaſant, was perfidiouſly delivered into the hands of his enemies, by a friend, to whom he had entruſted his perſon. 1650. Montroſe taken priſoner.

ALL the inſolence, which ſucceſs can produce in ungenerous minds, was exerciſed by the covenanters againſt Montroſe, whom they ſo much hated and ſo much dreaded. Theological antipathy farther encreaſed their indignities towards a perſon, whom they regarded as impious on account of the excommunication which had been pronounced againſt him. Leſley led him about for ſeveral days in the ſame low habit, under which he had diſguiſed himſelf. The vulgar, wherever he paſſed, were inſtigated to reproach and vilify him. When he came to Edinburgh, every circumſtance of elaborate rage and inſult was put in practice by order of the parliament. At the gate of the city, he was met by the magiſtrates, and put into a new cart, purpoſely made with a high chair or bench, where he was placed, that the people might have a full view of him. He was bound with a cord, drawn over his breaſt and ſhoulders, and faſtened through holes made in the cart. The hangman then took off the hat of the noble priſoner, and rode himſelf before the cart in his livery, and with his bonnet on: the other officers, who were taken priſoners with the marquefs, walking two and two before them.

THE populace, more generous and humane, when they ſaw ſo mighty a change of fortune in this great man, ſo lately their dread and terror, into whoſe hands the magiſtrates, a few years before, had delivered on their knees the keys of the city, were ſtruck with compaſſion, and viewed him with ſilent tears and admiration. The preachers, next Sunday, exclaimed againſt this movement of rebel nature, as they termed it; and reproached the people with their profane tenderneſs towards the capital enemy of piety and religion.

WHEN he was carried before the parliament, which was then ſitting, Loudon, the chancellor, in a violent declamation, reproached him with the breach of the national covenant, which he had ſubſcribed; his rebellion againſt God, the king, and the kingdom; and the many horrible murders, treaſons, and impieties, for which he was now to be brought to condign puniſhment. Montroſe in his anſwer maintained the ſame ſuperiority above his enemies, to which, by his fame and great actions, as well as by the conſciouſneſs of a good cauſe, he was juſtly entitled. He told the parlia-

ment, that, ſince the king, as he was informed, had ſo far avowed their authority as to enter into treaty with them, he now appeared uncovered before their tribunal; a reſpect, which, while they ſtood in open defiance to their ſovereign, they would in vain have required of him. That he acknowledged, with infinite ſhame and remorſe, the errors of his early conduct, when their plauſible pretences had ſeduced him to tread with them the paths of rebellion, and bear arms againſt his prince and country. That his following ſervices, he hoped, had ſufficiently teſtified his repentance; and his death would now atone for that guilt, the only one with which he could juſtly reproach himſelf. That in all his warlike enterprizes he was warranted by that commiſſion, which he had received from his and their maſter, againſt whoſe lawful authority they had erected their ſtandard. That to venture his life for his ſovereign was the leaſt part of his merit: He had even thrown down his arms in obedience to the ſacred commands of the king; and had reſigned to them the victory, which, in defiance of all their efforts, he was ſtill enabled to diſpute with them. That no blood had ever been ſhed by him but in the field of battle; and many perſons were now in his eye, many now dared to pronounce ſentence of death upon him, whoſe life, forfeited by the laws of war, he had formerly ſaved from the fury of the ſoldiers. That he was ſorry to find no better teſtimony of their return to allegiance than the murder of ſo faithful a ſubject, in whoſe death the king's commiſſion muſt be, at once, ſo highly injured and affronted. That as to himſelf, they had in vain endeavoured to vilify and degrade him by all their ſtudied indignities: The juſtice of his cauſe, he knew, would ennoble any fortune; nor had he other affliction than to ſee the authority of his prince, with which he was inveſted, treated with ſo much ignominy. And that he now joyfully followed, by a like unjuſt ſentence, his late ſovereign; and ſhould be happy, if, in his future deſtiny, he could follow him to the ſame bliſsful manſions, where his piety and humane virtues had already, without doubt, ſecured him an eternal recompence.

MONTROSE's ſentence was next pronounced againſt him, "That he, "James Graham" (for this was the only name he vouchſafed to give him) "ſhould next day be carried to Edinburgh croſs, and there be hanged on "a gibbet, thirty feet high, for the ſpace of three hours; Then be taken "down, his head be cut off upon a ſcaffold, and affixed to the priſon: His "legs and arms be ſtuck up on the four chief towns of the kingdom: His "body be buried in the place appropriated for common malefactors; ex"cept the church, upon his repentance, ſhould take off his excommunica"tion."

THE clergy, hoping, that the terrors of immediate death had now given

them an advantage over their enemy, flocked about him, and insulted over his fortunes. They pronounced his damnation, and assured him, that the judgment, which he was so soon to suffer, would prove but an easy prologue to that which he must undergo hereafter. They next offered to pray with him: But he was too well acquainted with those forms of imprecation, which they called prayers. "Lord, vouchsafe yet to touch the "obdurate heart of this proud incorrigible sinner; this wicked, perjured, "traiterous, and profane person, who refuses to hearken to the voice of "thy church." Such were the petitions, which, he expected, they would, according to custom, offer up for him. He told them, that they were a miserably deluded and deluding people; and would shortly bring their country under the most insupportable servitude, to which any nation had ever been reduced. "For my part," added he, "I am much proud-"er to have my head affixed to the place, where it is sentenced to stand, "than to have my picture hang in the king's bed-chamber. So far from "being sorry, that my quarters are to be sent to four cities of the king-"dom; I wish I had limbs enow to be dispersed into all the cities of Chris-"tendom, there to remain as testimonies in favour of the cause for which "I suffer." This sentiment, that very evening, while in prison, he threw into verse. The poem remains; a signal monument of his heroic spirit, and no despicable proof of his poetical genius.

Now was led forth, amidst the insults of his enemies and the tears of the people, this man of illustrious birth and of the greatest renown in the nation, to suffer for his adhering to the laws of his country, and the rights of his sovereign, the ignominious death destined to the meanest malefactor. Every attempt, which the insolence of the governing party had made to subdue his spirit, had hitherto proved fruitless: They made yet one effort more, in this last and melancholy scene, when all enmity arising from motives merely human, is commonly softened and disarmed. The executioner brought that book, which had been published in elegant Latin of his great military actions, and tied it by a cord about his neck. Montrose smiled at this new instance of their malice. He thanked them, however for their officious zeal; and said, that he bore this testimony of his bravery and loyalty with more pride than he had ever worn the garter. Having asked, whether they had any more indignities to put upon him, and renewing some devout ejaculations, he patiently endured the last act of the executioner. 1650. 21st May.

THUS perished, in the thirty-eighth year of his age, the gallant marquess of Montrose; the man whose military genius, both by valour and conduct, had shone forth beyond any, which, during these civil disorders, had appeared in the three kingdoms. The finer arts Executed.

too, he had, in his youth, ſucceſsfully cultivated; and whatever was ſublime, elegant, or noble, touched his great ſoul. Nor was he inſenſible to the pleaſures either of ſociety or of love. Something, however, of the *vaſt* and *unbounded* characterized his actions and deportment; and it was merely by an heroic effort of duty, that he brought his mind, impatient of ſuperiority, and even of equality, to pay ſuch unlimited ſubmiſſion to the will of his ſovereign.

THE vengeance of the covenanters was not ſatisfied with Montroſe's execution. Urrey, whoſe inconſtancy now led him to take part with the king, ſuffered about the ſame time: Spotiſwood of Daerſie, a youth of eighteen, Sir Francis Hay of Dalgetie, and Colonel Sibbald, all of them of birth and character, underwent a like fate. Theſe were taken priſoners with Montroſe. The Marqueſs of Huntley, about a year before, had alſo fallen a victim to the ſeverity of the covenanters.

THE paſt ſcene diſplays in a full light the barbarity of this theological faction: The ſequel will ſufficiently diſplay their abſurdity.

1650. 23d June. THE king, in conſequence of his agreement with the commiſſioners of Scotland, ſet ſail for that country; and being eſcorted by ſeven Dutch ſhips of war, who were ſent to guard the herring fiſhery, he arrived in the frith of Cromarty. Before he was permitted to land, he was required to ſign the covenant; and many ſermons and lectures were made him, exhorting him to perſevere in that holy confederacy [o]. Hamilton, Lauderdale, Dumfermling, and other noblemen of that party whom they called Engagers, were immediately ſeparated from him, and obliged to retire to their houſes, where they lived in a private manner, without truſt or authority. None of his Engliſh friends, who had ſerved his father, were allowed to remain in the kingdom. The king himſelf found, that he was conſidered as a mere pageant of ſtate, and that the few remains of royalty, which he poſſeſſed, ſerved only to draw on him the greater indignities. One of the quarters of Montroſe, his faithful ſervant, who had borne his commiſſion, had been ſent to Aberdeen, and was ſtill allowed to hang over the gates when he paſſed by that place [p]. The general aſſembly, and afterwards the committee of eſtates and the army, who were entirely governed by the aſſembly, ſet forth a public declaration, in which they proteſted, "that they did "not eſpouſe any malignant quarrel or party, but fought merely on their "former grounds or principles; that they diſclaimed all the ſins and guilt "of the king, and of his houſe; nor would they own him or his intereſt, "otherwiſe than with a ſubordination to God, and ſo far as he owned "and proſecuted the cauſe of God, and acknowledged the ſins of his "houſe, and of his former ways [q]."

Covenanters.

[o] Sir Edward Walker's Hiſtorical Diſcourſes, p. 159. [p] Ibid. p. 160. [q] Ibid. p. 166, 167.

THE king, lying entirely at mercy, and having no aſſurance of life or liberty, farther than was agreeable to the fancy of theſe auſtere zealots, was conſtrained to embrace a meaſure, which nothing but the neceſſity of his affairs, and his great youth and inexperience could excuſe. He iſſued a declaration, ſuch as they required of him[r]. He there gave thanks for the merciful diſpenſations of providence, by which he was recovered from the ſnare of evil counſel, had attained a full perſuaſion of the righteouſneſs of the covenant, and was induced to caſt himſelf and his intereſts wholly upon God. He deſired to be deeply humbled and afflicted in ſpirit, becauſe of his father's following wicked meaſures, oppoſing the covenant and the work of reformation, and ſhedding the blood of God's people throughout all his dominions. He lamented the idolatry of his mother, and the toleration of it in his father's houſe, a matter of great offence, he ſaid, to all the proteſtant churches, and a great provocation to him who is a jealous God, viſiting the ſins of the fathers upon the children. He profeſſed, that he would have no enemies but the enemies of the covenant; and that he deteſted all popery, ſuperſtition, prelacy, hereſy, ſchiſm, and profaneneſs; and was reſolved not to tolerate; much leſs to countenance, any of them in any of his dominions. He declared, that he ſhould never love or favour thoſe who had ſo little conſcience as to follow his intereſts, in preference to the goſpel and the kingdom of Jeſus Chriſt. And he expreſſed his hope, that, whatever ill ſucceſs his former guilt might have drawn upon his cauſe, yet now, having obtained mercy to be on God's ſide, and to acknowledge his own cauſe ſubordinate to that of God, divine providence would crown his arms with victory. 1650 16th Aug.

STILL the covenanters and the clergy were diffident of the king's ſincerity. The facility which he diſcovered in yielding whatever was required of him, made them ſuſpect, that he regarded all his conceſſions merely as ridiculous farces, to which he muſt of neceſſity ſubmit. They had another trial prepared for him. Inſtead of the ſolemnity of his coronation, which was delayed, they were reſolved, that he ſhould paſs through a public humiliation, and do penance before the whole people. They ſent him twelve articles of repentance, which he was to acknowledge; and the king had agreed, that he would ſubmit to this indignity. The various tranſgreſſions of his father and grandfather, together with the idolatry of his mother, are again enumerated and aggravated in theſe articles; and farther declarations were inſiſted on, that he ſought the reſtoration of his rights, for the ſole advancement of religion, and in ſubordination to the kingdom of Chriſt[s]. In ſhort, having exalted the altar above the throne, and brought royalty under their feet, the clergy were reſolved to trample

[r] Sir Edward Walker's Hiſtorical Diſcourſes, p. 170. [s] Ibid. p. 178.

on it and villify it, by every inſtance of contumely, which their preſent influence enabled them to impoſe upon their unhappy prince.

CHARLES in the mean time found his authority entirely annihilated, as well as his character degraded. He was conſulted in no public meaſure. He was not called to aſſiſt at any councils. His favour was ſufficient to diſcredit any pretender to office or advancement. All efforts, which he made to unite the oppoſite parties, encreaſed the ſuſpicion, which the covenanters had entertained of him, as if he were not entirely their own. Argyle, who, by ſubtleties and compliances, was partly led and partly governed by this wild faction, ſtill turned a deaf ear to all advances, which the king made to enter into confidence with him. *Malignants* and *engagers* continued to be the objects of general hatred and perſecution; and whoever was obnoxious to the clergy, failed not to have one or other of theſe epithets affixed to him. The fanaticiſm, which prevailed, being ſo full of ſour and angry principles, and ſo overcharged with various antipathies, had acquired a new object of abhorrence: Theſe were the *Sorcerers*. So prevalent was the opinion of witchcraft, that great numbers, accuſed of that crime, were burnt by ſentence of the magiſtrates throughout all parts of Scotland. In a village near Berwic, which contained only fourteen houſes, fourteen perſons were puniſhed by fire [t]; and it became a ſcience, every where much ſtudied and cultivated, to diſtinguiſh a true witch by proper trials and ſymptoms [u].

THE advance of the Engliſh army under Cromwel was not able to appeaſe or ſoften the animoſities among the parties in Scotland. The clergy were ſtill reſolute to exclude all but their moſt zealous adherents. As ſoon as the Engliſh parliament found, that the treaty between the king and the Scots would probably terminate in an accommodation, they made preparations for a war, which, they ſaw, would, in the end, prove inevitable. Cromwel having broken the force and courage of the Iriſh, was ſent for; and he left the command of Ireland to Ireton, who governed that kingdom in the character of deputy, and with vigilance and induſtry perſevered in the work of ſubduing and expelling the natives.

IT was expected, that Fairfax, who ſtill retained the name of general, would continue to act againſt Scotland, and appear at the head of the forces; a ſtation for which he was well qualified, and where alone he made any figure. But Fairfax, though he had allowed the army to make uſe of his name in murdering their ſovereign, and offering violence to the parliament, had entertained unſurmountable ſcruples againſt invading the Scots, whom he conſidered as zealous preſbyterians, and united to England by the ſacred bands of the covenant. He was farther diſguſted at the extremities, into which he had already been hurried; and was confirmed in

[t] Whitlocke, p. 434. 408. [u] Ibid. p. 396. 418.

his repugnance by the exhortations of his wife, who had great influence over him, and was herſelf much governed by the preſbyterian clergy. A committee of parliament was ſent to reaſon with him; and Cromwel was of the number. In vain did they urge, that the Scots had firſt broken the covenant by their invaſion of England under Hamilton; and that they would ſurely renew their hoſtile attempts, if not prevented by the vigorous meaſures of the commonwealth. Cromwel, who knew the rigid inflexibility of Fairfax, in every thing, which he regarded as matter of principle, ventured to ſolicit him with the utmoſt earneſtneſs; and he went ſo far as to ſhed tears of grief and vexation on the occaſion. No man could ſuſpect any ambition in the man, who laboured ſo zealously to retain his general in that high office, which, he knew, he himſelf was alone entitled to fill. The ſame warmth of temper which made Cromwel a frantic enthuſiaſt, rendered him the moſt dangerous of hypocrites; and it was to this turn of mind, as much as to his courage and capacity, that he owed all his wonderful ſucceſſes. By the contagious ferment of his zeal, he engaged every one to co-operate with him in his meaſures; and entering eaſily and affectionately into every part, which he was diſpoſed to act, he was enabled, even after multiplied deceits, to cover, under a tempeſt of paſſion, all his crooked ſchemes and profound artifices.

FAIRFAX having reſigned his commiſſion, it was beſtowed on Cromwel, who was declared captain-general of all the forces in England. This command, in a commonwealth, which ſtood entirely by arms, was of the utmoſt importance; and was the chief ſtep which this ambitious politician had yet made towards ſovereign power. He immediately marched his forces and entered Scotland with an army of 16,000 men.

THE command of the Scottiſh army was given to Leſley, an experienced officer, who formed a very proper plan of defence. He entrenched himſelf in a fortified camp between Edinburgh and Leith, and took care to remove from the counties of Merſe and the Lothians every thing which could ſerve to the ſubſiſtence of the Engliſh army. Cromwel advanced to the Scotch camp, and endeavoured by every expedient, to bring Leſley to a battle: The prudent Scotchman knew, that, though ſuperior in numbers, his army was much inferior in diſcipline to the Engliſh; and he carefully kept himſelf within his entrenchments. By ſkirmiſhes and ſmall rencounters he tried to confirm the ſpirits of his ſoldiers; and he was ſucceſsful in these enterprizes. His army daily encreaſed both in numbers and courage. The king came to the camp; and having exerted himſelf in an action, gained on the affections of the ſoldiery, who were more deſirous of ſerving under a young prince of ſpirit and vivacity than under a committee of talking gown-men. The clergy were alarmed. They ordered Charles immediately to leave the camp. They alſo purged it carefully of

about 4000 *Malignants* and *Engagers*, whoſe zeal had led them to attend the king, and who were the ſoldiers of chief credit and experience in the nation [w]. They then concluded, that they had an army compoſed entirely of ſaints, and could not be beaten. They murmured extremely, not only againſt their prudent general, bût alſo againſt the Lord, on account of his delays in giving them deliverance [x]; and they plainly told him, that, if he would not ſave them from the Engliſh ſectaries, he ſhould no longer be their God [y]. An advantage having offered itſelf on a Sunday, they hindered the general from making uſe of it, leſt he ſhould involve the nation in the guilt of ſabbath-breaking.

CROMWEL found himſelf in a very bad ſituation. He had no proviſions but what he received by ſea. He had not had the precaution to bring theſe in ſufficient quantities; and his army was reduced to difficulties. He retired to Dunbar. Leſley followed him and encamped on the heights of Lammermure, which overlook that town. There lay many difficult paſſes between Dunbar and Berwic, and of theſe Leſley had taken poſſeſſion. The Engliſh general was reduced to extremities. He had even embraced a reſolution of ſending by ſea all his foot and artillery to England, and of breaking through, at all hazards, with his cavalry. The madneſs of the Scottiſh eccleſiaſtics ſaved him from this loſs and diſhonour.

NIGHT and day the miniſters had been wreſtling with the lord in prayer, as they termed it; and they fancied, that they had at laſt obtained the victory. Revelations, they ſaid, were made them, that the ſectarian and heretical army, together with Agag, meaning Cromwel, was delivered into their hands. Upon the faith of theſe viſions, they forced their general, in ſpite of his remonſtrances, to deſcend into the plain, with a view of attacking the Engliſh in their retreat. Cromwel, looking through a glaſs, ſaw the enemy's camp in motion; and foretold, without the help of revelations, that the Lord had delivered them into *his* hands. He gave orders immediately for an attack. In this battle it was eaſily obſerved, that nothing, in military actions, can ſupply the place of diſcipline and experience; and that, in the preſence of real danger, where men are not accuſtomed to it, the fumes of enthuſiaſm preſently diſſipate, and loſe their influence. The Scots, though double in number to the Engliſh, were ſoon put to flight, and purſued with great ſlaughter. The chief, if not only reſiſtance was made by one regiment of Highlanders, that part of the army which was the leaſt infected with fanaticiſm. No victory could be more complete than this which was obtained by Cromwel. About 3000 of the enemy were ſlain, and 9000 taken priſoners. Cromwel purſued his advantage, and took

1650. Battle of Dunbar. 3d Sept.

[w] Sir Edw. Walker, p. 165. [x] Id. p. 168. [y] Whitlocke.

poſſeſſion of Edinburgh and Leith. The remnant of the Scottiſh army fled to Stirling. The approach of the winter ſeaſon, and an ague, which ſeized Cromwel, kept him from puſhing the victory any farther.

THE clergy made great lamentations, and told the Lord, that to them it was little to ſacrifice their lives and eſtates, but to him it was a great loſs to ſuffer his elect to be deſtroyed [z]. They publiſhed a declaration containing the cauſe of their late misfortunes. Theſe viſitations they aſcribed to the manifold provocations of the king's houſe, of which, they feared, he had not yet thoroughly repented; the ſecret intruſion of malignants into the king's family and even into the camp; the leaving of a moſt malignant and profane guard of horſe, who, being ſent for to be purged, came two days before the defeat, and were allowed to fight with the army; the owning of the king's quarrel by many without ſubordination to religion and liberty; and the carnal ſelf-ſeeking of ſome, together with the neglect of family prayers by others.

CROMWEL, having been ſo ſucceſsful in the war of the ſword, took up the pen againſt the Scottiſh eccleſiaſtics. He wrote them ſome polemical letters in which he maintained the chief points of the independent theology. He took care likewiſe to retort on them their favourite argument of providence; and aſked them, whether the Lord had not declared againſt them? But the miniſters thought, that the ſame events, which to their enemies were judgments, to them were trials; and they replied, that the Lord had only hid his face, for a time, from Jacob. But Cromwel inſiſted, that the appeal had been made to God in the moſt expreſs and ſolemn manner, and that, in the fields of Dunbar, an irrevocable deciſion had been awarded in favour of the Engliſh army [a].

THE defeat of the Scots was regarded by the king as a fortunate event. The armies which fought on both ſides, were almoſt equally his enemies; and the vanquiſhed were now obliged to give him ſome more authority,

[z] Sir Edward Walker.

[a] "This is the beſt of Cromwel's wretched compoſitions that remains, and we ſhall "here extract a paſſage out of it. "You ſay you have not ſo learned Chriſt as to "hang the equity of your cauſe upon events. We could wiſh that blindneſs had not "been upon your eyes to all thoſe marvellous diſpenſations, which God had wrought "lately in England. But did not you ſolemnly appeal and pray? Did not we do ſo "too? And ought not we and you to think, with fear and trembling, of the hand of "the great God, in this mighty and ſtrange appearance of his, but can ſlightly call it an "event? Were not both your and our expectations renewed from time to time, while "we waited on God, to ſee which way he would manifeſt himſelf upon our appeals? "And ſhall we, after all theſe our prayers, faſtings, tears, expectations and ſolemn ap"peals, call theſe mere events? The Lord pity you. Surely we fear, becauſe it has "been a merciful and a gracious deliverance to us.

"I beſeech you in the bowels of Chriſt, ſearch after the mind of the Lord in it towards "you, and we ſhall help you by our prayers that you may find it. For yet, if we "know our heart at all, our bowels do in Chriſt yearn after the godly in Scotland."

Thurloe, vol. i. p. 158.

and apply to him for ſupport. The parliament was ſummoned to meet at St. Johnſtone's. Hamilton, Lauderdale, and all the Engagers were admitted into court and camp, on condition of doing public penance, and expreſſing repentance for their late tranſgreſſions. Some Malignants alſo creeped in under various pretences. The intended humiliation or penance of the king was changed into the ceremony of his coronation, which was performed at Scone with great pomp and ſolemnity.

1651. 1ſt January.

But amidſt all this appearance of reſpect, Charles remained in the hands of the moſt rigid Covenanters: And though treated with civility and courteſy by Argyle, a man of parts and addreſs, he was little better than a priſoner, and was ſtill expoſed to all the rudeneſs and pedantry of the eccleſiaſtics.

THIS young prince was in a ſituation, which very ill ſuited his temper and diſpoſition. All thoſe good qualities which he poſſeſſed, his affability, his wit, his gaiety, his gentleman-like, diſengaged behaviour, were here ſo many vices; and his love of eaſe, liberty, and pleaſure, was regarded as the higheſt enormity. Though artful in the practice of courtly diſſimulation, the ſanctified ſtyle was utterly unknown to him; and he never could mould his deportment into that ſtarched grimace, which the covenanters required as an infallible mark of converſion. The duke of Buckingham was the only Engliſh courtier allowed to attend him; and, by his ingenious talent for ridicule, he had rendered himſelf extremely agreeable to his maſter. While ſo many objects of deriſion ſurrounded them, it was difficult to be altogether inſenſible to the temptation, and wholly to ſuppreſs the laugh. Obliged to attend from morning to night at prayers and ſermons, they betrayed evident ſymptoms of wearineſs or contempt. The clergy never could eſteem the king ſufficiently regenerated: And by continual exhortations, remonſtrances, and reprimands, they ſtill endeavoured to bring him to a juſter ſenſe of his ſpiritual duty.

THE king's paſſion for the fair could not altogether be reſtrained. He had once been obſerved uſing ſome familiarities with a young woman; and a committee of miniſters was appointed to reprove him for a behaviour ſo unbecoming a covenanted monarch. The ſpokeſman of the committee, one Douglaſs, began with a ſevere aſpect, informed the king that great ſcandal had been given to the godly, enlarged on the heinous nature of ſin, and concluded with exhorting his majeſty, whenever he was diſpoſed to amuſe himſelf, to be more careful, for the future, in ſhutting the windows. This delicacy, ſo unuſual to the place and to the character of the man, was remarked by the king; and he never forgot the obligation.

THE king, ſhocked at all the indignities, and perhaps ſtill more tired with all the formalities, to which he was obliged to ſubmit, made an attempt to regain his liberty. General Middleton, at the head of ſome tur-

aliſts, being proſcribed by the covenanters, kept in the mountains, expecting ſome opportunity of ſerving his maſter. The king reſolved to join this body. He ſecretly made his eſcape from Argyle, and fled towards the Highlands. Colonel Montgomery, with a troop of horſe was ſent in purſuit of him. He overtook the king and perſuaded him to return. The royaliſts being too weak to ſupport him, Charles was the more eaſily induced to comply. This incident procured him afterwards better treatment and more authority; the covenanters being afraid of driving him by their rigours to ſome deſperate reſolution. Argyle renewed his courtſhip to the king, and the king, with equal diſſimulation, pretended to repoſe great confidence in Argyle. He even went ſo far as to drop hints of his intention to marry that nobleman's daughter: But he had to do with a man too wiſe to be ſeduced by ſuch groſs artifices.

As ſoon as the ſeaſon would permit, the Scottiſh army was aſſembled under Hamilton and Lesley; and the king was allowed to join the camp. The forces of the Weſtern counties, notwithſtanding the imminent danger which threatened their country, were reſolute not to unite their cauſe with that of an army which admitted any engagers or malignants among them; and they kept in a body apart under Ker. They called themſelves the *Proteſters*; and their frantic clergy declaimed equally againſt the king and againſt Cromwel. The other party were denominated *Reſolutioners*; and theſe diſtinctions continued long after to divide and agitate the kingdom.

CHARLES encamped at the Torwood; and his generals reſolved to conduct themſelves by the ſame cautious maxims, which ſo long as they were embraced, had been ſucceſsful during the former campaign. The town of Stirling lay at his back, and the whole north ſupplied him with proviſions. Strong entrenchments defended his front; and it was in vain that Cromwel made every attempt to bring him to an engagement. After loſing much time, the Engliſh general ſent Lambert over the frith into Fife, with an intention of cutting off the proviſions of the enemy. Lambert fell upon Holborne and Brown, who commanded a party of Scots, and put them to rout with great ſlaughter. Cromwel alſo paſſed over with his whole army; and lying at the back of the king, made it impoſſible for him to keep his poſt any longer.

CHARLES, reduced to deſpair, embraced a reſolution worthy of a young prince contending for empire. Having the way open, he reſolved immediately to march into England; where he expected that all his friends and all thoſe who were diſcontented with the preſent government, would flock to his ſtandard. He perſuaded the generals to enter into the ſame views; and with one conſent the army, to the number of 14,000 men, roſe from their camp, and advanced by great journies towards the ſouth.

CROMWEL was ſurpriſed at this movement of the royal army. Wholly

intent on offending his enemy, he had expoſed his friends to imminent danger, and ſaw the king with numerous forces marching into England; where his preſence, from the general hatred which prevailed againſt the parliament, was capable of producing ſome great revolution. But if this conduct was an overſight in Cromwel, he quickly repaired it by his vigilance and activity. He diſpatched letters to the parliament, exhorting them not to be diſmayed at the approach of the Scots: He ſent orders every where for aſſembling forces to oppoſe the king: He ordered Lambert with a body of cavalry to hang upon the rear of the royal army, and infeſt their march: and he himſelf, leaving Monk with 7000 men to complete the reduction of Scotland, followed the king with all expedition poſſible.

CHARLES found himſelf diſappointed in his expectations of increaſing his army. The Scots, terrified at the proſpect of ſo hazardous an enterprize, fell off in great numbers. The Engliſh preſbyterians having no warning given them of the king's approach, were not prepared to join him. To the royaliſts, this meaſure was equally unexpected; and they were farther deterred from joining the Scottiſh army, by the orders which the committee of miniſters had iſſued, not to admit any, even in this deſperate extremity, who would not ſubſcribe the covenant. The earl of Derby, leaving the iſle of Man, where he had hitherto maintained his independence, was employed in levying forces in Cheſhire and Lancaſhire; but was ſoon ſuppreſſed by a party of the parliamentary army. And the king when he arrived at Worceſter, found that his forces, extremely haraſſed by a haſty and fatiguing march, were not more numerous than when he roſe from his camp in the Torwood.

SUCH is the influence of eſtabliſhed government, that the commonwealth though founded in uſurpation the moſt unpopular, had authority to raiſe, every where the militia of the counties; and theſe united with the regular forces, bent all their efforts againſt the king. With an army of about 30,000 men, Cromwel fell upon Worceſter; and attacking it on all ſides, and meeting with little reſiſtance except from duke Hamilton, and general Middleton, broke in upon the diſordered royaliſts. The ſtreets of the city were ſtrowed with dead. Hamilton, a nobleman of bravery and honour, was mortally wounded; Maſſey wounded and taken priſoner; the king himſelf, having given many proofs of perſonal valour, was obliged to fly. The whole Scottiſh army was either killed or taken priſoners. The country people, inflamed with national antipathy, put to death the few that eſcaped from the field of battle.

1651 3d Sept. Battle of Worceſter

THE king left Worceſter, at ſix o'clock in the afternoon, and without halting, travelled about twenty-ſix miles, in company with fifty or ſixty of his friends. To provide for his ſafety, he thought it beſt to ſeparate himſelf from his companions; and he left them without communicating his intentions to any of them. By the earl of Derby's directions, he went to Boſcobel, a lone houſe in the borders of Staffordſhire, inhabited by one Penderell, a farmer. To this man Charles entruſted himſelf. The man had dignity of ſentiments much above his condition; and though death was denounced againſt all who concealed the king, and a great reward promiſed to any one who ſhould betray him, he profeſſed and maintained unſhaken fidelity. He took the aſſiſtance of his four brothers, equally honourable with himſelf; and having clothed the king in a garb like their own, they led him into the neighbouring wood, put a bill into his hand, and pretended to employ themſelves in cutting faggots. Some nights he lay upon ſtraw in the houſe, and fed on ſuch homely fare as it afforded. For a better concealment, he mounted upon an oak, where he ſheltered himſelf among the leaves and branches for twenty-four hours. He ſaw ſeveral ſoldiers paſs by. All of them were intent in ſearch of the king; and ſome expreſſed, in his hearing, their earneſt wiſhes of ſeizing him. This tree was afterwards denominated the *Royal Oak*; and for many years was regarded by the neighbourhood with great veneration. 1651. The king's eſcape.

CHARLES was in the middle of the kingdom, and could neither ſtay in his retreat, nor ſtir a ſtep from it, without the moſt imminent danger. Fear, hopes, and party zeal, intereſted multitudes to diſcover him; and even the ſmalleſt indiſcretion of his friends might prove fatal. Having joined lord Wilmot, who was ſkulking in the neighbourhood, they agreed to put themſelves into the hands of colonel Lane, a zealous royaliſt, who lived at Bentley, not many miles diſtant. The king's feet were ſo hurt by walking about in heavy boots or countrymen's ſhoes which did not fit him, that he was obliged to mount on horſeback; and he travelled in this ſituation to Bentley, attended by the Penderells, who had been ſo faithful to him. Lane formed a ſcheme for his journey to Briſtol, where, it was hoped, he would find a ſhip, in which he might tranſport himſelf. He had a near kinſwoman, Mrs. Norton, who lived within three miles of that city, and was with child, very near the time of her delivery. He obtained a paſs (for, during thoſe times of confuſion, this precaution was requiſite) for his ſiſter Jane Lane and a ſervant to travel towards Briſtol, under pretence of viſiting and attending her relation. The king rode before the lady, and perſonated the ſervant.

WHEN they arrived at Norton's, Mrs Lane pretended that ſhe had brought along as her ſervant a poor lad, a neighbouring farmer's ſon, who was ill of an ague; and ſhe begged a private room for him, where he might

be quiet. Though Charles kept himſelf retired in this chamber, the butler, one Pope, ſoon knew him: The king was alarmed, but made the butler promiſe that he would keep the ſecret from every mortal, even from his maſter; and he was faithful to his engagement.

No ſhip, it was found, would, for a month, ſet ſail from Briſtol, either for France or Spain; and the king was obliged to go elſewhere for a paſſage. He entruſted himſelf to colonel Windham of Dorſetſhire, an affectionate partizan of the royal family. The natural effect of the long civil wars, and of the furious rage to which all men were wrought up in their different factions, was, that every one's inclinations and affections were thoroughly known, and even the courage and fidelity of moſt men, by the variety of incidents, had been put to triſl. The royaliſts too had, many of them, been obliged to make concealments in their houſes for themſelves, their friends, or more valuable effects; and the arts of eluding the enemy had been frequently practiſed. All theſe circumſtances proved favourable to the king in the preſent exigency. As he often paſſed through the hands of catholics, the *Prieſt's Hole*, as they called it, the place where they were obliged to conceal their perſecuted prieſts, was ſometimes employed for ſheltering their diſtreſſed ſovereign.

WINDHAM, before he received the king aſked leave to entruſt the important ſecret to his mother, his wife, and four ſervants, on whoſe fidelity he could rely. Of all theſe, no one proved wanting either in honour or diſcretion. The venerable old matron, on the reception of her royal gueſt, expreſſed the utmoſt joy, that having loſt without regret, three ſons and one grandchild in defence of his father, ſhe was now reſerved, in her declining years, to be inſtrumental in the preſervation of himſelf. Windham told the king, that Sir Thomas, his father, in the year 1636, a few days before his death, called to him his five ſons. "My children," ſaid he, "we have hitherto ſeen ſerene and quiet times under our three laſt ſove-"reigns: But I muſt now warn you to prepare for clouds and ſtorms. "Factions ariſe on every ſide, and threaten the tranquillity of your native "country. But whatever happen, do you faithfully honour and obey your "prince, and adhere to the crown. I charge you never to forſake the "crown, though it ſhould hang upon a buſh." "Theſe laſt words," added Windham, "made ſuch impreſſions on all our breaſts, that the many "afflictions of theſe ſad times could never efface their indelible characters." From innumerable inſtances, it appears how deep-rooted in the minds of the Engliſh gentry of that age was the principle of loyalty to the ſovereign; that noble and generous principle, inferior only in excellence to the more enlarged and more enlightened affection towards a legal conſtitution. But, during thoſe times of military uſurpation, theſe paſſions were the ſame.

THE king continued ſeveral days in Windham's houſe; and all his friends in Britain, and in every part of Europe, remained in the moſt anxious ſuſpence with regard to his fortunes: No one could conjecture whether he were dead or alive; and the report of his death being generally believed, happily relaxed the vigilant ſearch of his enemies. Trials were made to procure a veſſel for his eſcape; but he ſtill met with diſappointments. Having left Windham's houſe, he was obliged again to return to it. He paſſed through many other adventures; aſſumed different diſguiſes; in every ſtep was expoſed to imminent perils; and received daily proofs of uncorrupted fidelity and attachment. The ſagacity of a ſmith, who remarked that his horſe's ſhoes had been made in the north, not in the weſt, as he pretended, once detected him; and he narrowly eſcaped. At Shoreham in Suſſex a veſſel was at laſt found, in which he embarked. He had been known to ſo many, that if he had not ſet ſail in that critical moment, it had been impoſſible for him to eſcape. After one and forty days concealment, he arrived ſafely at Feſcamp in Normandy. No leſs than forty men and women had at different times been privy to his concealment and eſcape [b].

THE battle of Worceſter afforded Cromwel what he called his *crowning mercy* [c]. So elated was he, that he intended to have knighted in the field two of his generals, Lambert and Fleetwood; but was diſſuaded by his friends from exerting this act of regal authority. His power and ambition were too great to brook ſubmiſſion to the empty name of a republic, which ſtood chiefly by his influence, and was ſupported by his victory. How early he entertained thoughts of taking into his hands the reins of government is uncertain. We are only aſſured, that he now diſcovered to his intimate friends theſe aſpiring views; and even expreſſed a deſire of aſſuming the rank of king, which he had contributed, with ſuch ſeeming zeal, to aboliſh [d].

1651. The commonwealth.

THE little popularity and credit, acquired by the republicans, farther ſtimulated the ambition of this enterprizing politician. Theſe men had not that large thought, nor thoſe comprehenſive views, which might qualify them for acting the part of legiſlators; Selfiſh aims and bigotry chiefly engroſſed their attention. They carried their rigid auſterity ſo far as to enact a law, declaring fornication, after the firſt act, to be felony, without benefit of clergy [e]. They made ſmall progreſs in that important work, which they profeſſed to have ſo much at heart, the ſettling of a new model of repreſentation, and fixing

[b] Heath's Chronicle, p. 301. [c] Parl. Hiſt. vol. xx. p. 47. [d] Whitlocke, p. 543.

[e] Scobel, p. 121. A bill was introduced into the houſe againſt painting, patches, and other immodeſt dreſs of women, but it did not paſs. Parl Hiſt. vol. xix. p. 293.

a plan of government. The nation began to apprehend, that they intended to eſtabliſh themſelves as a perpetual legiſlature, and to confine the whole power to 60 or 70 perſons, who called themſelves the parliament of the commonwealth of England. And while they pretended to beſtow new liberties upon the nation, they found themſelves obliged to infringe even the moſt valuable of thoſe, which, through time immemorial, had been tranſmitted from their anceſtors. Not daring to entruſt the trials of treaſon to juries, who, being choſen indifferently from among the people, would have been little favourable to the commonwealth, and would have formed their verdict upon the ancient laws, they eluded that noble inſtitution, by which the government of this iſland has ever been ſo much diſtinguiſhed. They had evidently ſeen in the trial of Lilburn what they could expect from juries. This man, the moſt turbulent, but the moſt upright and courageous of human kind, was tried for a tranſgreſſion of the new ſtatute of treaſons: But though he was plainly guilty, he was acquitted, to the great joy of the people. Weſtminſter-hall, nay the whole city, rang with ſhouts and acclamations. Never did any eſtabliſhed power receive ſo ſtrong a declaration of its uſurpation and invalidity; and from no inſtitution, beſides the admirable one of juries, could be expected this magnanimous effort.

THAT they might not for the future be expoſed to affronts, which ſo much leſſened their authority, the parliament erected a high court of juſtice, which was to receive indictments from the council of ſtate. This court was compoſed of men, devoted to the ruling party, without name or character, determined to ſacrifice every thing to their own ſafety or ambition. Colonel Euſebius Andrews, and colonel Walter Slingſby were tried by this court for conſpiracies, and condemned to death. They were royaliſts, and refuſed to plead before ſo illegal a juriſdiction. Love, Gibbons, and other preſbyterians, having entered into a plot againſt the republic, were alſo tried, condemned, and executed. The earl of Derby, Sir Timothy Featherſtone, Bemboe, being taken priſoners after the battle of Worceſter, were put to death by ſentence of a court-martial: a method of proceeding declared illegal by that very petition of right, for which a former parliament had ſo ſtrenuouſly contended, and which, after great efforts, they had extorted from the king.

EXCEPTING their principles of toleration, the maxims, by which the republicans regulated eccleſiaſtical affairs, no more prognoſticated any durable ſettlement, than thoſe by which they conducted their civil concerns. The preſbyterian model of congregation, claſſes, and aſſemblies, was not allowed to be finiſhed: It ſeemed even the intention of many leaders in the parliament to admit of no eſtabliſhed church, and to leave every one

without any guidance of the magiſtrate, to embrace whatever ſect, and to ſupport whatever clergy, were moſt agreeable to him.

THE parliament went ſo far as to make ſome approaches in one province, to their independent model. Almoſt all the clergy of Wales being ejected as malignants, itinerant preachers with ſmall ſalaries were ſettled, not above four or five in each county; and theſe, being furniſhed with horſes at the public expence, hurried from place to place, and carried, as they expreſſed themſelves, the glad tidings of the goſpel [f]. They were all of them men of the loweſt birth and education, who had deſerted mechanical trades, in order to follow this new profeſſion. And in this particular, as well as in their wandering life, they pretended to be more truly apoſtolical.

THE republicans, both by the turn of their diſpoſition, and by the nature of the inſtruments, which they employed, were better qualified for acts of force and vigour, than for the ſlow and deliberate work of legiſlation. Notwithſtanding the late wars and bloodſhed, and the preſent factions, the power of England had never, in any period, appeared ſo formidable to the neighbouring kingdoms as it did at this time, in the hands of the commonwealth. A numerous army ſerved equally to retain every one in implicit ſubjection to eſtabliſhed authority, and to ſtrike a terror into foreign nations. The power of peace and war was lodged in the ſame hands with that of impoſing taxes; and no difference of views, among the ſeveral members of the legiſlature, could any longer be apprehended. The preſent impoſitions, though much ſuperior to what had ever formerly been experienced, were in reality moderate, and what a nation, ſo opulent, could eaſily bear. The military genius of the people had, by the civil conteſts, been rouzed from its former lethargy; and excellent officers were formed in every branch of ſervice. The confuſion, into which all things had been thrown, had given opportunity to men of low ſtations to break through their obſcurity, and to raiſe themſelves by their courage to commands, which they were well qualified to exerciſe, but to which their birth could never have entitled them. And while ſo great a power was lodged in ſuch active hands, no wonder the republic was ſucceſsful in all its enterprizes.

BLAKE, a man of great courage and a generous diſpoſition, the ſame perſon who had defended Lyme and Taunton with ſuch unſhaken obſtinacy againſt the late king, was made an admiral; and though he had hitherto been accuſtomed only to land-ſervice, into which too he had not entered till paſt fifty years of age, he ſoon raiſed the naval glory of the nation to a greater height than it had ever attained in any former period. A fleet was put under his command, and he received orders to purſue prince Rupert, to whom the king had entruſted that ſquadron, which had deſert-

[f] Dr. John Walker's Attempt, p. 147. & ſeq.

ed to him. Rupert took ſhelter in Kinſale; and eſcaping thence, fled towards the coaſt of Portugal. Blake purſued, and chaſed him into the Tagus, where he intended to make an attack upon him. But the king of Portugal, moved by the favour which, throughout all Europe, attended the Royal cauſe, refuſed Blake admittance, and aided prince Rupert in making his eſcape. To be revenged of this partiality, the Engliſh admiral made prize of twenty Portugueſe ſhips richly laden; and he threatened ſtill farther vengeance. The king of Portugal, dreading ſo dangerous a foe to his newly acquired dominion; and, ſenſible of the unequal conteſt in which he was engaged, made all poſſible ſubmiſſions to the haughty republic, and was at laſt admitted to negociate the renewal of his alliance with England. Prince Rupert, having loſt a great part of his ſquadron on the coaſt of Spain, made ſail towards the Weſt Indies. His brother, prince Maurice, was there ſhipwrecked in a hurricane. Every where, this ſquadron ſubſiſted by privateering, ſometimes on Engliſh, ſometimes on Spaniſh veſſels. And Rupert at laſt returned to France, where he diſpoſed of the remnants of his fleet, together with his prizes.

ALL the ſettlements in America, except New England, which had been planted entirely by the puritans, adhered to the royal party, even after the ſettlement of the republic; and Sir George Ayſcue was ſent with a ſquadron to reduce them. Bermudas, Antigua, Virginia were ſoon ſubdued. Barbadoes, commanded by lord Willoughby of Parham, made ſome reſiſtance; but was at laſt obliged to ſubmit.

WITH equal eaſe were Jerſey, Guernſey, Scilly, and the Iſle of Man brought under ſubjection to the republic; and the ſea, which had been much infeſted by privateers from theſe iſlands, was rendered ſafe to the Engliſh commerce. The counteſs of Derby defended the Iſle of Man; and with great reluctance yielded to the neceſſity of ſurrendering to the enemy. This lady, a daughter of the illuſtrious houſe of Trimoille in France, had during the civil war, diſplayed a manly courage by her obſtinate defence of Latham-Houſe againſt the parliamentary forces; and ſhe retained the glory of being the laſt perſon in the three kingdoms, and in all their dependant dominions, who ſubmitted to the victorious commonwealth [g].

IRELAND and Scotland were now entirely ſubjected and reduced to tranquillity. Ireton, the new deputy of Ireland, at the head of a numerous army, 30,000 ſtrong, proſecuted the work of ſubduing the revolted Iriſh; and he defeated them in many rencounters, which, though of themſelves of no great moment, proved fatal to their declining cauſe. He puniſhed without mercy, all the priſoners who had any hand in the maſſacres. Sir Phelim O'Neale, among the reſt, was, ſome time after, brought to the gib-

[g] See note [QQ] at the end of the volume.

bet, and ſuffered an ignominious death, which he had ſo well merited by his inhuman cruelties. Limeric, a conſiderable town, ſtill remained in the hands of the Iriſh; and Ireton, after a vigorous ſiege, made himſelf maſter of it. He was here infected with the plague, and ſhortly after died; a memorable perſonage, much celebrated for his vigilance, induſtry, capacity, even for the ſtrict execution of juſtice in that unlimited command which he poſſeſſed in Ireland. He was obſerved to be inflexible in all his purpoſes; and it was believed by many, that he was animated with a ſincere and paſſionate love of liberty, and never could have been induced by any motive, to ſubmit to the ſmalleſt appearance of regal government. Cromwel appeared to be much affected by his death; and the republicans, who repoſed great confidence in him, were inconſolable. To ſhew their regard for his merit and ſervices, they beſtowed an eſtate of two thouſand pounds a-year on his family, and honoured him with a magnificent funeral at the public charge. Though the eſtabliſhed government was but the mere ſhadow of a commonwealth, yet was it beginning by proper arts to encourage that public ſpirit, which no other ſpecies of civil polity is ever able fully to inſpire.

THE command of the army in Ireland devolved on lieutenant-general Ludlow. The civil government of the iſland was entruſted to commiſſioners. Ludlow continued to puſh the advantages againſt the Iriſh, and every where obtained an eaſy victory. That unhappy people, diſguſted with the king on account of thoſe violent declarations againſt them and their religion, which had been extorted by the Scots, applied to the king of Spain, to the duke of Lorraine, and found aſſiſtance no where. Clanricarde, unable to aſſiſt the prevailing power, made ſubmiſſions to the parliament, and retired into England, where he ſoon after died. He was a ſteady catholic; but a man much reſpected by all parties.

THE ſucceſſes, which attended Monk in Scotland, were no leſs deciſive. That able general laid ſiege to Stirling-caſtle; and though it was well provided for defence, it was ſoon ſurrendered to him. He there became maſter of all the records of the kingdom; and he ſent them to England. The earl of Leven, the earl of Crawford, lord Ogilvy, and other noblemen, having met near Perth, in order to concert meaſures for raiſing a new army, were ſuddenly ſet upon by colonel Alured, and moſt of them taken priſoners. Sir Philip Muſgrave, with ſome Scots, being enaged at Dumfries in a like enterprize, met with a like fate. Dundee was a town well fortified, ſupplied with a good garriſon under Lumiſden, and full of all the rich furniture, the plate, and money of the kingdom, which had been ſent thither as to a place of ſafety. Monk appeared before it; and having made a breach, gave a general aſſault. He carried the town; and following the example and inſtructions of Cromwel, put all the inhabitants to the ſword,

in order to ſtrike a general terror into the kingdom. Warned by this example, Aberdeen, St. Andrew's, Inverneſs, and other towns and forts yielded, of their own accord, to the enemy. Argyle made his ſubmiſſions to the Engliſh commonwealth; and excepting a few royaliſts, who remained ſome time in the mountains, under the earl of Glencairn, lord Balcarras, and general Middleton, that kingdom, which had hitherto, through all ages, by means of its ſituation, poverty, and valour, maintained its independence, was reduced to total ſubjection.

THE Engliſh parliament ſent Sir Harry Vane, St. John, and other commiſſioners to ſettle Scotland. Theſe men, who poſſeſſed little of the true ſpirit of liberty, knew how to maintain the appearance of it; and they required the voluntary conſent of all the counties and towns of this conquered kingdom, before they would unite them into the ſame commonwealth with England. The clergy proteſted; becauſe, they ſaid, this incorporating union would draw along with it a ſubordination of the church to the ſtate in the things of Chriſt [h]. Engliſh judges, joined to ſome Scottiſh, were appointed to determine all cauſes; juſtice was ſtrictly adminiſtered; order and peace maintained; and the Scots, freed from the tyranny of the eccleſiaſtics, were not much diſſatisfied with the preſent government [i]. The prudent conduct of Monk, a man who poſſeſſed a capacity for the arts both of peace and war, ſerved much to reconcile the minds of men, and to allay their prejudices.

1652. Dutch war. By the total reduction and pacification of the Britiſh dominions, the parliament had leiſure to look abroad, and to exert their vigour in foreign enterprizes. The Dutch were the firſt that felt the weight of their arms.

DURING the life of Frederic Henry, prince of Orange, the Dutch republic had maintained a neutrality in the civil wars of England, and had never interpoſed, except by her good offices, between the contending parties. When William, who had married an Engliſh princeſs, ſucceeded to his father's commands and authority [k], the ſtates, both before and after the execution of the late king, were accuſed of taking ſteps more favourable to the royal cauſe, and of betraying a great prejudice againſt that of the parliament. It was long before the envoy of the Engliſh commonwealth could obtain an audience of the ſtates-general. The murderers of Doriſlaus were not purſued with ſuch vigour as the parliament expected. And much regard had been paid to the king, and many good offices performed to him, both by the public, and by men of all ranks in the United Provinces.

[h] Whitlocke, p. 496. Heathe's Chronicle, p. 307. [i] See note [RR] at the end of the volume. [k] 1647.

AFTER the death of William, prince of Orange [l], which was attended with the depreſſion of his party and the triumph of the Dutch republicans, the parliament thought, that the time was now favourable for cementing a cloſer confederacy with the States. St. John, chief juſtice, who was ſent over to the Hague, had entertained the idea of forming a kind of coalition between the two republics, which would have rendered their intereſts totally inſeparable; but fearing that ſo extraordinary a project would not be reliſhed, he contented himſelf with dropping ſome hints of it, and openly went no farther than to propoſe a ſtrict defenſive alliance between England and the United Provinces, ſuch as has now, for near ſeventy years, taken place between theſe friendly powers [m]. But the States, who were unwilling to form a nearer confederacy with a government, whoſe meaſures were ſo obnoxious, and whoſe ſituation ſeemed ſo precarious, offered only to renew the former alliances with England. And the haughty St. John, diſguſted with this diſappointment, as well as incenſed at many affronts, which had been offered him with impunity, by the retainers of the Palatine and Orange families, and indeed by the populace in general, returned into England, and endeavoured to foment a quarrel between the republics.

THE movements of great ſtates are often directed by as ſlender ſprings as thoſe of individuals. Though war with ſo conſiderable a naval power as the Dutch, who were in peace with all their other neighbours, might ſeem dangerous to the yet unſettled commonwealth, there were ſeveral motives, which at this time induced the Engliſh parliament to embrace hoſtile meaſures. Many of the members thought that a foreign war would ſerve as a pretence for continuing the ſame parliament, and delaying the new model of a repreſentative, with which the nation had ſo long been flattered. Others hoped, that the war would furniſh a reaſon for maintaining, ſome time longer, that numerous ſtanding army, which was ſo much complained of [n]. On the other hand ſome, who dreaded the encreaſing power of Cromwel, expected that the great expence of naval armaments, would prove a motive for diminiſhing the military eſtabliſhment. To divert the attention of the public from domeſtic quarrels towards foreign tranſactions, ſeemed, in the preſent diſpoſition of men's minds, to be good policy. The ſuperior power of the Engliſh commonwealth, together with its advantages of ſituation, promiſed ſucceſs; and the parliamentary leaders hoped to gain many rich prizes from the Dutch, to diſtreſs and ſink their flouriſhing commerce, and by victories to throw a luſtre on their own eſtabliſhment, which was ſo new and unpopular. All theſe views, enforced by the violent ſpirit of St. John, who had great influence over Cromwel, determined the parlia-

[l] In October 17, 1650. [m] Thurloe, vol. i. p. 182.

[n] We are told in the life of Sir Henry Vane, that that famous republican oppoſed the Dutch war, and that it was the military gentlemen chiefly who ſupported that meaſure.

ment to change the purpoſed alliance into a furious war againſt the United Provinces.

To cover theſe hoſtile intentions, the parliament, under pretence of providing for the intereſts of commerce, embraced ſuch meaſures as they knew would give diſguſt to the States. They framed the famous act of navigation; which prohibited all nations from importing into England in their bottoms any commodity which was not the growth and manufacture of their own country. By this law, though the terms in which it was conceived were general, the Dutch were principally affected; becauſe their country produces few commodities, and they ſubſiſt chiefly by being the general carriers and factors of Europe. Letters of repriſal were granted to ſeveral merchants, who complained of injuries, which, they pretended, they had received from the States; and above eighty Dutch ſhips fell into their hands, and were made prizes. The cruelties committed on the Engliſh at Amboyna, which were certainly enormous, but which ſeemed to be buried in oblivion by a thirty years' ſilence, were again made the ground of complaint. And the allowing the murderers of Doriſlaus to eſcape, and the conniving at the inſults to which St. John had been expoſed, were repreſented as ſymptoms of an unfriendly, if not a hoſtile diſpoſition in the States.

THE States, alarmed at all theſe ſteps, ſent orders to their ambaſſadors to endeavour the renewal of the treaty of alliance, which had been broken off by the abrupt departure of St. John. Not to be unprepared, they equipped a fleet of a hundred and fifty ſail, and took care, by their miniſters at London, to inform the council of ſtate of that armament. This intelligence, inſtead of ſtriking terror into the Engliſh republic, was conſidered as a menace, and farther confirmed the parliament in their hoſtile reſolutions. The minds of men in both ſtates were, every day, more irritated againſt each other, and it was not long before theſe humours broke forth into action.

TROMP, an admiral of great renown, received from the States the command of a fleet of forty-two ſail, in order to protect the Dutch navigation againſt the privateers of the Engliſh. He was forced, by ſtreſs of weather, as he alledged, to take ſhelter in the road of Dover, where he met with Blake, who commanded an Engliſh fleet much inferior in number. Who was the aggreſſor in the action which enſued between theſe two admirals, both of them men of ſuch prompt and fiery diſpoſitions, it is not eaſy to determine; ſince each of them ſent to their own ſtate a relation totally oppoſite in all its circumſtances to that of the other, and yet ſupported by the teſtimony of every captain in his fleet. Blake pretended, that, having given a ſignal to the Dutch admiral to ſtrike, Tromp, inſtead of complying fired a broadſide at him. Tromp aſſerted, that he was preparing to ſtrike,

and that the Engliſh admiral, nevertheleſs, began hoſtilities. It is certain that the admiralty of Holland, who are diſtinct from the counſel of ſtate, had given Tromp no orders to ſtrike, but had left him to his own diſcretion with regard to that vain, but much conteſted ceremonial. They ſeemed willing to introduce the claim of an equality with the new commonwealth, and to interpret the former reſpect payed the Engliſh flag, as a deference due only to the monarchy. This circumſtance forms a ſtrong preſumption againſt the narrative of the Dutch admiral. The whole Orange party, it muſt be remarked, to which Tromp was ſuſpected to adhere, were deſirous of a war with England.

BLAKE, though his ſquadron conſiſted only of fifteen veſſels, re-inforced, after the battle began, by eight under captain Bourne, maintained the fight with bravery for five hours, and ſunk one ſhip of the enemy, and took another. Night parted the combatants, and the Dutch fleet retired towards the Coaſt of Holland. The populace of London were enraged, and would have inſulted the Dutch ambaſſadors, who lived at Chelſea, had not the council of ſtate ſent guards to protect them.

WHEN the States heard of this action, of which the conſequences were eaſily foreſeen, they were in the utmoſt conſternation. They immediately diſpatched Paw, Penſionary of Holland, as their ambaſſador extraordinary to London, and ordered him to lay before the parliament the narrative which Tromp had ſent of the late rencounter. They entreated them, by all the bands of their common religion, and common liberties, not to precipitate themſelves into hoſtile meaſures, but to appoint commiſſioners who ſhould examine every circumſtance of the action, and clear up the truth which lay in obſcurity. And they pretended, that they had given no orders to their admiral to offer any violence to the Engliſh, but would ſeverely puniſh him, if they found, upon enquiry, that he had been guilty of an action which they ſo much diſapproved. The imperious parliament would hearken to none of theſe reaſons or remonſtrances. Elated by the numerous ſucceſſes which they had obtained over their domeſtic enemies, they thought that every thing muſt yield to their fortunate arms; and they gladly ſeized the opportunity, which they ſought, of making war upon the States. They demanded, that, without any farther delay or enquiry, reparation ſhould be made for all the damages which the Engliſh had ſuſtained. And when this demand was not complied with, they diſpatched orders for commencing war againſt the United Provinces.

BLAKE ſailed northwards with a numerous fleet, and fell upon the herring buſſes, which were eſcorted by twelve men of war. All theſe he either took or diſperſed. Tromp followed him with a fleet of above a hundred ſail. When theſe two admirals were within ſight of each other, and preparing for battle, a furious ſtorm attacked them, Blake took ſhelter

in the Engliſh harbours. The dutch fleet was diſperſed, and received great damage.

1652. 16th Aug. SIR GEORGE AYSCUE, though he commanded only forty ſhips, according to the Engliſh accounts, engaged near Plymouth, the famous de Ruiter, who had under him fifty ſhips of war, with thirty merchant-men. The Dutch ſhips were indeed of inferior force to the Engliſh. De Ruiter, the only admiral in Europe who has attained a renown equal to that of the greateſt general, defended himſelf ſo well, that Ayſcue gained no advantage over him. Night parted them in the greateſt heat of the action. De Ruiter next day ſailed off with his convoy. The Engliſh fleet had been ſo ſhattered in the fight, that it was not able to purſue.

18th Oct. NEAR the coaſt of Kent, Blake, ſeconded by Bourne and Pen, met a Dutch ſquadron, nearly equal in numbers, commanded by de Witte and de Ruiter. A battle was fought much to the diſadvantage of the Dutch. Their rear-admiral was boarded and taken. Two other veſſels were ſunk, and one blown up. The Dutch next day made ſail towards Holland.

THE Engliſh were not ſo ſucceſsful in the Mediterranean. Van Galen, with much ſuperior force, attacked captain Badily, and defeated him. He bought, however, his victory with the loſs of his life.

29th Nov. SEA-FIGHTS are ſeldom ſo deciſive as to diſable the vanquiſhed from making head in a little time againſt the victors. Tromp, ſeconded by de Ruiter, met near the Goodwins, with Blake, whoſe fleet was inferior to the Dutch, but who reſolved not to decline the combat. A furious battle commenced, where the admirals on both ſides, as well as the inferior officers and ſeamen, exerted great bravery. In this action the Dutch had the advantage. Blake himſelf was wounded. The Garland and Bonaventure were taken. Two ſhips were burned, and one ſunk; and night came opportunely to ſave the Engliſh fleet. After this victory, Tromp, in a bravado, fixed a broom to his main-maſt; as if he were reſolved to ſweep the ſea entirely of all the Engliſh veſſels.

1653. GREAT preparations were made in England, in order to wipe off this diſgrace. A gallant fleet of eighty ſail was fitted out. Blake commanded, and Dean under him, together with Monk, who had 18th Feb. been ſent for from Scotland. When the Engliſh lay off Portland, they deſcried, near break of day, a Dutch fleet of ſeventy-ſix veſſels, ſailing up the channel, along with a convoy of 300 merchantmen, who had received orders to wait at the iſle of Rhé, till the fleet ſhould arrive to eſcort them. Tromp, and, under him, de Ruiter, commanded the Dutch.

This battle was the moſt furious that had yet been fought between theſe warlike and rival nations. Three days was the combat continued with the utmoſt rage and obſtinacy; and Blake, who was victor, gained not more honour than Tromp, who was vanquiſhed. The Dutch admiral made a ſkilful retreat, and ſaved all the merchant ſhips, except thirty. He loſt, however, eleven ſhips of war, had 2000 men ſlain, and near 1500 were priſoners. The Engliſh, though many of their ſhips were extremely ſhattered, had but one ſunk. Their ſlain were not much inferior in number to thoſe of the enemy.

ALL theſe ſucceſſes of the Engliſh were chiefly owing to the ſuperior ſize of their veſſels; an advantage which all the ſkill and bravery of the Dutch admirals could not compenſate. By means of ſhip-money, an impoſition which had been ſo much complained of, and in ſome reſpects with reaſon, the late king had put the navy into a ſituation which it had never attained in any former reign; and he ventured to build ſhips of a ſize which was then unuſual. But the misfortunes which the Dutch met with in battle, were ſmall in compariſon of thoſe which their trade ſuſtained from the Engliſh. Their whole commerce by the channel was cut off: Even that to the Baltic was much infeſted by the Engliſh privateers. Their fiſheries were totally ſuſpended. A great number of their ſhips, above 1600, had fallen into the hands of the enemy. And all this diſtreſs they ſuffered, not for any national intereſts or neceſſity; but from vain points of honour and perſonal reſentments, of which it was difficult to give a ſatisfactory account to the public. They reſolved, therefore, to gratify the pride of the parliament, and to make ſome advances towards peace. They met not, however, with a favourable reception; and it was not without pleaſure, that they learned the diſſolution of that haughty aſſembly by the violence of Cromwel; an event from which they expected a more proſperous turn of their affairs.

THE zealous republicans in the parliament had not been the chief or firſt promoters of the war; but when it was once entered upon, they endeavoured to draw from it every poſſible advantage. On all occaſions they ſet up the fleet in oppoſition to the army, and celebrated the glory and ſucceſſes of their naval armaments. They inſiſted on the intolerable expence to which the nation was ſubjected, and urged the neceſſity of diminiſhing it, by a reduction of the land forces. They had ordered ſome regiments to ſerve on board the fleet, in the quality of marines. And Cromwel, by the whole train of their proceedings, evidently ſaw, that they had entertained a jealouſy of his power and ambition, and were reſolved to bring him to a ſubordination under their authority. Without ſcruple or delay he reſolved to permit them.

1653. Diſſolution of the parliament.

ON ſuch firm foundations was built the credit of this extraordinary man, that though a great maſter of fraud and diſſimulation, he judged it ſuperfluous to employ any diſguiſe in conducting this bold enterprize. He ſummoned a general council of officers; and immediately found that they were diſpoſed to receive whatever impreſſions he was pleaſed to give them. Moſt of them were his creatures, had owed their advancement to his favour, and relied entirely upon him for their future preferment. The breach being already made between the military and civil powers, when the late king was ſeized at Holdenby; the general officers regarded the parliament as at once their creature and their rival; and thought, that they themſelves were entitled to ſhare among them thoſe offices and riches, of which its members had ſo long kept poſſeſſion. Harriſon, Rich, Overton, and a few others, who retained ſome principle, were guided by notions ſo extravagant, that they were eaſily deluded into meaſures the moſt violent and moſt criminal. And the whole army had already been guilty of ſuch illegal and atrocious actions, that they could entertain no farther ſcruple with regard to any enterprize which might ſerve their ſelfiſh or fanatical purpoſes.

IN the council of officers it was preſently voted to frame a remonſtrance to the parliament. After complaining of the arrears due to the army, they there deſired the parliament to reflect how many years they had ſitten, and what profeſſions they had formerly made of their intentions to new-model the repreſentative, and eſtabliſh ſucceſſive parliaments, who might bear the burthen of national affairs, from which they themſelves would gladly, after ſo much danger and fatigue, be at laſt relieved. They confeſſed that the parliament had atchieved great enterprizes, and had ſurmounted mighty difficulties; yet was it an injury, they ſaid, to the reſt of the nation to be excluded from bearing any part in the ſervice of their country. It was now full time for them to give place to others; and they therefore deſired them, after ſettling a council, who might execute the laws during the interval, to ſummon a new parliament, and eſtabliſh that free and equal government, which they had ſo long promiſed to the people.

THE parliment took this remonſtrance in ill part, and made a ſharp reply to the council of officers. The officers inſiſted on their advice; and by mutual altercation and oppoſition the breach became ſtill wider between the army and the commonwealth. Cromwel, finding matters ripe for his purpoſe, called a council of officers, in order to come to a determination with regard to the public ſettlement. As he had here many friends, ſo had he alſo ſome opponents. Harriſon having aſſured the council, that the general ſought only to pave the way for the government of Jeſus and his ſaints, major Streater briſkly replied, that Jeſus ought then to come quickly: For if he delayed it till

1653. 10th April.

after Chriſtmas, he would come too late; he would find his place occupied. While the officers were in debate, colonel Ingolſby informed Cromwel, that that parliament was ſitting, and had come to a reſolution not to diſſolve themſelves, but to fill up the houſe by new elections; and was at that very time engaged in deliberations with regard to this expedient. Cromwel in a rage immediately haſtened to the houſe, and carried a body of 300 ſoldiers along with him. Some of them he placed at the door, ſome in the lobby, ſome on the ſtairs. He firſt addreſſed himſelf to his friend St. John, and told him, that he had come with an intention of doing what grieved him to the very ſoul, and what he had earneſtly with tears beſought the Lord not to impoſe upon him: But there was a neceſſity, in order to the glory of God and the good of the nation. He ſat down for ſome time and heard the debate. He beckoned Harriſon, and told him, that he now judged the parliament ripe for a diſſolution. "Sir," ſaid Harriſon, "the "work is very great and dangerous: I deſire you ſeriouſly to conſider, "before you engage in it." "You ſay well," replied the general; and thereupon ſat ſtill about a quarter of an hour. When the queſtion was ready to be put, he ſaid again to Harriſon, "This is the time: I muſt do "it." And ſuddenly ſtarting up, he loaded the parliament with the vileſt reproaches, for their tyranny, ambition, oppreſſion, and robbery of the public. Then ſtamping with his foot, which was a ſignal for ſoldiers to enter, "For ſhame," ſaid he to the parliament, "get you gone: give place "to honeſter men; to thoſe who will more faithfully diſcharge their "truſt. You are no longer a parliament; I tell you, you are no longer "a parliament. The lord has done with you: He has choſen other in"ſtruments for carrying on his work." Sir Harry Vane exclaiming againſt this proceeding, he cried with a loud voice, "O! Sir Harry Vane, "Sir Harry Vane! The Lord deliver me from Sir Harry Vane!" Taking hold of Martin by the cloke, "Thou art a whore-maſter," ſaid he. To another, "Thou art an adulterer." To a third, "thou art a drunk"ard and a glutton:" "And thou an extortioner," to a fourth. He commanded a ſoldier to ſeize the mace. "What ſhall we do with this "bauble? Here take it away. It is you," ſaid he, addreſſing himſelf to the houſe, "that have forced me upon this. I have ſought the Lord "night and day, that he would rather ſlay me than put me upon this "work." Having commanded the ſoldiers to clear the hall, he himſelf went out the laſt, and ordering the doors to be locked, departed to his lodgings in Whitehall.

In this furious manner, which ſo well denotes his genuine character, did Cromwel, without the leaſt oppoſition, or even murmur, annihilate that famous aſſembly, which had filled all Europe with the renown of its actions, and with aſtoniſhment at its crimes, and whoſe commencement

was not more ardently desired by the people than was its final dissolution. All parties now reaped successively the melancholy pleasure of seeing the injuries, which they had suffered, revenged on their enemies; and that too by the same arts, which had been practised against them. The king had, in some instances, stretched his prerogative beyond its just bounds; and aided by the church, had well nigh put an end to all the liberties and privileges of the nation. The presbyterians checked the progress of the court and clergy, and excited, by cant and hypocrisy, the populace, first to tumults, then to war, against the king, the peers, and all the royalists. No sooner had they reached the pinnacle of grandeur, than the independents, under the appearance of still greater sanctity, instigated the army against them, and reduced them to subjection. The independents, amidst their empty dreams of liberty, or rather of dominion, were oppressed by the rebellion of their own servants, and found themselves at once exposed to the insults of power and hatred of the people. By recent, as well as all ancient example, it was become evident, that illegal violence, with whatever pretences it may be covered, and whatever object it may pursue, must inevitably end at last in the arbitrary and despotic government of a single person.

CHAP. LXI.

Cromwel's birth and private life——Barebone's parliament——Cromwel made protector——Peace with Holland——A new parliament——Insurrection of the royalists——State of Europe——War with Spain——Jamaica conquered——Success and death of admiral Blake——Domestic administration of Cromwel——Humble Petition and advice——Dunkirk taken——Sickness of the protector——His death——And character.

1653. Cromwel's birth and private life.

OLIVER CROMWEL, in whose hands the dissolution of the parliament had left the whole power civil and military, of three kingdoms, was born at Huntingdon, the last year of the former century, of a good family; though he himself being the son of a second brother, inherited but a small estate from his father. In the course of his education he had been sent to the university; but his genius was found little fitted for the calm and elegant occupations of learning, and he made small proficiencies in his studies. He even threw himself into a dissolute and disorderly course of life; and he consumed, in gaming, drinking, debauchery, and country riots, the more early years of his youth, and dissipated part of his patrimony. All of sudden, the spirit of re-

mation ſeized him; he married, affected a grave and compoſed behaviour, entered into all the zeal and rigour of the puritanical party, and offered to reſtore to every one whatever ſums he had formerly gained by gaming. The ſame vehemence of temper, which had tranſported him into the extremes of pleaſure, now diſtinguiſhed his religious habits. His houſe was the reſort of all the zealous clergy of the party; and his hoſpitality, as well as his liberalities to the ſilenced and deprived miniſters, proved as chargeable as his former debaucheries. Though e had acquired a tolerable fortune by a maternal uncle, he found his affairs ſo injured by his expences, that he was obliged to take a farm at St Ives, and apply himſelf for ſome years, to agriculture as a profeſſion. But this expedient ſerved rather to involve him in farther debts and difficulties. The long prayers, which he ſaid to his family in the morning, and again in the afternoon, conſumed his own time and that of his ploughmen; and he reſerved no leiſure for the care of his temporal affairs. His active mind, ſuperior to the low occupations, to which he was condemned, preyed upon itſelf; and he indulged his imagination in viſions, illuminations, revelations; the great nouriſhment of that hypochondriacal temper, to which he was ever ſubject. Urged by his wants and his piety, he had made a party with Hambden, his near kinſman, who was preſſed only by the latter motive to tranſport himſelf into new England, now become the retreat of the more zealous among the puritanical party; and it was an order of council, which obliged them to diſembark and remain in England. The earl of Bedford, who poſſeſſed a large eſtate in the Fen Country, near the iſle of Ely, having undertaken to drain theſe moraſſes, was obliged to apply to the king; and by the powers of the prerogative, he got commiſſioners appointed, who conducted that work, and divided the new acquired land among the ſeveral proprietors. He met with oppoſition from many, among whom Cromwel diſtinguiſhed himſelf; and this was the firſt public opportunity, which he had met with, of diſcovering the factious zeal and obſtinacy of his character.

FROM accident and intrigue he was choſen by the town of Cambridge member of the long parliament. His domeſtic affairs were then in great diſorder; and he ſeemed not to poſſeſs any talents, which could qualify him to riſe in that public ſphere into which he was now at laſt entered. His perſon was ungraceful, his dreſs ſlovenly, his voice untunable, his elocution homely, tedious, obſcure, and embarraſſed. The fervor of his ſpirit frequently prompted him to riſe in the houſe; but he was not heard with attention: His name, for above two years, is not to be found oftener than twice in any committee: and thoſe committees, into which he was admitted, were choſen for affairs, which would more intereſt the zealots than the men of buſineſs. In compariſon of the eloquent ſpeakers and fine gentlemen of the houſe, he was entirely overlooked; and his friend Hamb-

den alone was acquainted with the depth of his genius, and foretold, that, if a civil war ſhould enſue, he would ſoon riſe to eminence and diſtinction.

CROMWEL himſelf ſeems to have been conſcious where his ſtrength lay; and partly from that motive, partly from the uncontroulable fury of his zeal, he always joined that party, which puſhed every thing to extremities againſt the king. He was active in promoting the famous remonſtrance, which was the ſignal for all the enſuing commotions; and when, after a long debate, it was carried by a ſmall majority, he told lord Falkland, that, if the queſtion had been loſt, he was reſolved next day to have converted into ready money the remains of his fortune, and immediately to have left the kingdom. Nor was this reſolution, he ſaid, peculiar to himſelf: Many others of his party he knew to be equally determined.

HE was no leſs than forty three years of age, when he firſt embraced the military profeſſion; and by force of genius, without any maſter, he ſoon became an excellent officer; though perhaps he never reached the fame of a conſummate commander. He raiſed a troop of horſe; fixed his quarters in Cambridge; exerted great ſeverity towards that univerſity, which zealouſly adhered to the royal party; and ſhowed himſelf a man who would go all lengths in favour of that cauſe, which he had eſpouſed. He would not allow his ſoldiers to perplex their heads with thoſe ſubtilties, of fighting by the king's authority againſt his perſon, and of obeying his majeſty's commands ſignified by both houſes of parliament: He plainly told them, that if he met the king in battle, he would fire a piſtol in his face as readily as againſt any other man. His troop of horſe he ſoon augmented to a regiment; and he firſt inſtituted that diſcipline and inſpired that ſpirit, which rendered the parliamentary armies in the end victorious. "Your troops," ſaid he to Hambden, according to his own account *, "are moſt of them old decayed ſerving men and tapſters, and "ſuch kind of fellows; The king's forces are compoſed of gentlemen's "younger ſons and perſons of good quality. And do you think that the "mean ſpirits of ſuch baſe and low fellows as ours will ever be able to en"counter gentlemen, that have honour and courage and reſolution in "them? You muſt get men of ſpirit, and take it not ill that I ſay, of a "ſpirit, that is likely to go as far as gentlemen will go, or elſe I am ſure "you will ſtill be beaten, as you have hitherto been, in every encounter." He did as he propoſed. He enliſted the ſons of freeholders and farmers: He carefully invited into his regiment all the zealous fanatics throughout England. When they were collected in a body, their enthuſiaſtic ſpirit ſtill roſe to a higher pitch. Their colonel, from his own natural character, as well as from policy, was ſufficiently inclined to encreaſe the flame. He preached, he prayed, he fought, he puniſhed, he rewarded. The wild en-

* Conference held at Whitehall.

thuſiaſm, together with valour and diſcipline, ſtill propagated itſelf; and all men caſt their eyes on ſo pious and ſo ſucceſsful a leader. From low commands he roſe with great rapidity to be really the firſt, though in appearance only the ſecond, in the army. By fraud and violence, he ſoon rendered himſelf the firſt in the ſtate. In proportion to the encreaſe of his authority, his talents always ſeemed to expand themſelves; and he diſplayed every day new abilities, which had lain dormant, till the very emergence, by which they were called forth into action. All Europe ſtood aſtoniſhed to ſee a nation, ſo turbulent and unruly, who, for ſome doubtful encroachments on their privileges, had dethroned and murdered an excellent prince, deſcended from a long line of monarchs, now at laſt ſubdued, reduced to ſlavery by one, who, a few years before, was no better than a private gentleman, whoſe name was not known in the nation, and who was little regarded even in that low ſphere, to which he had always been confined.

THE indignation, entertained by the people, againſt an authority, founded on manifeſt uſurpation, was not ſo violent as might naturally be expected. Congratulatory addreſſes, the firſt of the kind, were made to Cromwel by the fleet, by the army, even by many of the chief corporations and counties of England; but eſpecially by the ſeveral congregations of ſaints, diſperſed throughout the kingdom [P]. The royaliſts, though they could not love the man, who had embrued his hands in the blood of their ſovereign, expected more lenity from him, than from the jealous and imperious republicans, who had hitherto governed. The preſbyterians were pleaſed to ſee thoſe men, by whom they had been outwitted and expelled, now in their turn expelled and outwitted by their own ſervant; and they applauded him, for this laſt act of violence upon the parliament. Theſe two parties compoſed the bulk of the nation, and kept the people in ſome tolerable temper. All men likewiſe, haraſſed with wars and factions, were glad to ſee any proſpect of ſettlement. And they deemed it leſs ignominious to ſubmit to a perſon of ſuch admirable talents and capacity, than to a few ignoble enthuſiaſtic hypocrites, who under the name of a republic, had reduced them to a cruel ſubjection.

THE republicans, being dethroned by Cromwel, were the party whoſe reſentment he had the greateſt reaſon to apprehend. That party, beſides the independents, contained two ſets of men, who are ſeemingly of the moſt oppoſite principles, but who were then united by a ſimilitude of genius and of character. The firſt and the moſt numerous were the millenarians, or fifth monarchy men, who inſiſted, that dominion being founded in grace, all diſtinction in magiſtracy muſt be aboliſhed, except what aroſe from piety and holineſs; who expected ſuddenly the ſecond

[P] See Milton's ſtate papers.

coming of Chriſt upon the earth; and who pretended, that the ſaints in the mean while, that is, themſelves, were alone entitled to govern. The ſecond were the deiſts, who had no other object than political liberty, who denied entirely the truth of revelation, and inſinuated, that all the various ſects, ſo heated againſt each other, were alike founded in folly and in error. Men of ſuch daring geniuſes were not contented with the ancient and legal forms of civil government; but challenged a degree of freedom beyond what they expected ever to enjoy under any monarchy. Martin, Challoner, Harrington, Sidney, Wildman, Nevil, were eſteemed the heads of this ſmall diviſion.

THE deiſts were perfectly hated by Cromwel, becauſe he had no hold of enthuſiaſm, by which he could govern or over-reach them; he therefore treated them with great rigour and diſdain, and uſually denominated them the *heathens*. As the millenarians had a great intereſt in the army, it was much more important for him to gain their confidence; and their ſize of underſtanding afforded him great facility in deceiving them. Of late years, it had been ſo uſual a topic of converſation to diſcourſe of parliaments and councils and ſenates, and the ſoldiers themſelves had been ſo much accuſtomed to enter into that ſpirit, that Cromwel thought it requiſite to eſtabliſh ſomething which might bear the face of a commonwealth. He ſuppoſed, that God, in his providence, had thrown the whole right, as well as power, of government into his hands; and without any more ceremony, by the advice of his council of officers, he ſent ſummonſes to a hundred and twenty-eight perſons of different towns and counties of England, to five of Scotland, to ſix of Ireland. He pretended, by his ſole act and deed, to devolve upon theſe the whole authority of the ſtate. This legiſlative power they were to exerciſe during fifteen months; and they were afterwards to chooſe the ſame number of perſons, who might ſucceed them in that high and important office.

1653. Barebone's parliament.

THERE were great numbers at that time, who made it a principle always to adhere to any power, which was uppermoſt, and to ſupport the eſtabliſhed government. This maxim is not peculiar to the people of that age; but what may be eſteemed peculiar to them, is, that there prevailed a hypocritical phraſe for expreſſing ſo prudential a conduct: It was called a waiting upon providence. When providence, therefore, was ſo kind as to beſtow on theſe men, now aſſembled together, the ſupreme authority they muſt have been very ungrateful, if, in their turn, they had been wanting in complaiſance towards her. They immediately voted themſelves a parliament; and having their own conſent, as well as that of Oliver Cromwel, for their legiſlative authority, they now proceeded very gravely to the exerciſe of it.

4th July.

IN this notable assembly were some persons of the rank of gentlemen; but the far greater part were low mechanics; fifth monarchy men, anabaptists, antinomians, independents; the very dregs of the fanatics. They began with seeking God by prayer: This office was performed by eight or ten *gifted* men of the assembly; and with so much success, that according to the confession of all, they had never before, in any of their devotional exercises, enjoyed so much of the holy spirit as was then communicated to them [q]. Their hearts were, no doubt dilated when they considered the high dignity, to which they supposed themselves exalted. They had been told by Cromwel in his first discourse, that he never looked to see such a day, when Christ should be so owned [r]. They thought it therefore, their duty to proceed to a thorough reformation, and to pave the way for the reign of the Redeemer, and for that great work, which, it was expected, the Lord was to bring forth among them. All fanatics, being consecrated by their own fond imaginations, naturally bear an antipathy to the ecclesiastics, who claim a peculiar sanctity, derived merely from their office and priestly character. This parliament took into consideration the abolition of the clerical function, as savouring of popery; and the taking away of tythes, which they called a relict of Judaism. Learning also and the universities were deemed heathenish and unnecessary: The common law was denominated a badge of the conquest and of Norman slavery; and they threatened the lawyers with a total abrogation of their profession. Some steps were even taken towards an abolition of the chancery [s], the highest court of judicature in the kingdom; and the Mosaical law was intended to be established as the sole system of English jurisprudence [t].

OF all the extraordinary schemes adopted by these legislators, they had not leisure to finish any, except that which established the legal solemniza-

[q] Parl. Hist. vol. xx. p. 182.

[r] These are his expressions: "Indeed, I have but one word more to say to you, though "in that perhaps I shall show my weakness: It is by way of encouragement to you in "this work; give me leave to begin thus: I confess I never looked to have seen such a "day as this, it may be nor you neither, when Jesus Christ should be so owned as he is "at this day and in this work. Jesus Christ is owned this day by your call, and you "own him by your willingness to appear for him, and you manifest this (as far as "poor creatures can do) to be a day of the power of Christ. I know you will remember that scripture, *he makes his people willing in the day of his power*. God manifests it "to be the day of the power of Christ, having thro' so much blood and so much tryal "as has been upon this nation, he makes this one of the greatest mercies, next to his own "son, to have his people called to the supreme authority. God hath owned his son, "and hath owned you, and hath made you to own him. I confess I never looked to "have seen such a day: I did not." I suppose at this passage he cried: For he was very much given to weeping, and could at any time shed abundance of tears. The rest of the speech may be seen among Milton's State papers, page 106. It is very curious, and full of the same obscurity, confusion, embarrassment, and absurdity, which appear in almost all Oliver's productions.

[s] Whitlocke, p. 543. 548.

[t] Conference held at Whitehall.

tion of marriage by the civil magiſtrate alone, without the interpoſition of the clergy. They found themſelves expoſed to the deriſion of the public. Among the fanatics of the houſe, there was an active member, much noted for his long prayers, ſermons, and harangues. He was a leather-ſeller in London: His name *Praiſe-god Barebone*. This ridiculous name, which ſeems to have been choſen by ſome poet or allegoriſt to ſuit ſo ridiculous a perſonage, ſtruck the fancy of the people; and they commonly affixed to this aſſembly the appellation of Barebone's parliament [u]

THE Dutch ambaſſadors endeavoured to enter into negociation with this parliament; but though proteſtants and even preſbyterians, they met with a bad reception from thoſe who pretended to a ſanctity ſo much ſuperior. The Hollanders were regarded as worldly-minded men, intent only on commerce and induſtry; whom it was fitting the ſaints ſhould firſt extirpate, ere they undertook that great work, to which they believed themſelves deſtined by providence, of ſubduing Antichriſt, the man of ſin, and extending to the uttermoſt bounds of the earth the kingdom of the Redeemer [w]. The ambaſſadors finding themſelves proſcribed, not as enemies of England, but of Chriſt, remained in aſtoniſhment, and knew not which was moſt to be admired, the implacable ſpirit or egregious folly of theſe pretended ſaints.

CROMWEL began to be aſhamed of his legiſlature. If he ever had any deſign in ſummoning ſo prepoſterous an aſſembly beyond amuſing the po-

[u] It was uſual for the pretended ſaints at that time to change their names from Henry, Edward, Anthony, William, which they regarded as heatheniſh, into others more ſanctified and godly: Even the new Teſtament names, James, Andrew, John, Peter, were not held in ſuch regard as thoſe which were borrowed from the Old Teſtament, Hezekiah, Habbakuk, Joſhua, Zerobabel. Sometimes a whole godly ſentence was adopted as a name. Here are the names of a jury ſaid to be encloſed in the county of Suſſex about that time.

Accepted, Trevor of Norſham.
Redeemed, Compton of Battle.
Faint not, Hewit of Heathfield.
Make Peace, Heaton of Hare.
God Reward, Smart of Fivehurſt.
Standfaſt on High, Stringer of Crowhurſt.
Earth, Adams of Warbleton.
Called, Lower of the ſame.
Kill Sin, Pimple of Witham.
Return, Spelman of Watling.
Be Faithful, Joiner of Britling.
Fly Debate, Roberts of the ſame.
Fight the good Fight of Faith, White of Emer.
More Fruit, Fowler of Eaſt Hadley.
Hope for, Bending of the ſame.
Graceful, Harding of Lewes.
Weep not, Billing of the ſame.
Meek, Brewer of Okeham.

See Broome's Travels into England, p. 279. "Cromwel," ſays Cleveland, "hath beat "up his drums clean through the Old Teſtament. You may learn the genealogy of our "Saviour by the names of his regiment. The muſter-maſter has no other liſt than the "firſt chapter of St. Matthew." The brother of this Praiſe-god Barebone had for name, *If Chriſt had not died for you, you had been damned Barebone*. But the people, tired of this long name, retained only the laſt word, and commonly gave him the appellation of *Damn'd Barebone*.

[w] Thurloe, vol. i. p. 273. 591. Alſo Stubbe, p. 91, 92.

pulace and the army: he had intended to alarm the clergy and lawyers; and he had ſo far ſucceeded as to make them deſire any other government, which might ſecure their profeſſions, now brought in danger by theſe deſperate fanatics. Cromwel himſelf was diſſatisfied, that the parliament, though they had derived all their authority from him, began to pretend power from the Lord [x], and to inſiſt already on their divine commiſſion. He had been careful to ſummon in his writs ſeveral perſons entirely devoted to him. By concert, theſe met early; and it was mentioned by ſome among them, that the ſitting of this parliament any longer would be of no ſervice to the nation. They haſtened, therefore, to Cromwel, along with Rouſe, their ſpeaker; and by a formal deed or aſſignment, reſtored into his hands that ſupreme authority which they had ſo lately received from him. General Harriſon and about twenty more remained in the houſe; and that they might prevent the reign of the ſaints from coming to an untimely end, they placed one Moyer in the chair, and began to draw up proteſts. They were ſoon interrupted by colonel White, with a party of ſoldiers. He aſked them what they did there. "We are ſeeking the Lord," ſaid they "Then you may go elſe-"where," replied he: "For to my certain knowledge, he has not been "here theſe many years."

1656. 12th. December.

THE military being now, in appearance, as well as in reality, the ſole power which prevailed in the nation, Cromwel thought fit to indulge a new fancy: For he ſeems not to have had any deliberate plan in all theſe alterations. Lambert, his creature, who, under the appearance of obſequiouſneſs to him, indulged an unbounded ambition, propoſed in a council of officers to adopt another ſcheme of government, and to temper the liberty of a commonwealth by the authority of a ſingle perſon, who ſhould be known by the appellation of protector. Without delay, he prepared what was called *the inſtrument of government*, containing the plan of this new legiſlature; and as it was ſuppoſed to be agreeable to the general, it was immediately voted by the council of officers. Cromwel was declared protector; and with great ſolemnity inſtalled in that high office.

Cromwel made protector.

So little were theſe men endowed with the ſpirit of legiſlation, that they confeſſed, or rather boaſted, that they had employed only four days in drawing this inſtrument, by which the whole government of three kingdoms was pretended to be regulated and adjuſted to all ſucceeding generations. There appears no difficulty in believing them; when it is conſidered how crude and undigeſted a ſyſtem of civil polity they endeavoured to eſtabliſh. The chief articles of the inſtrument are theſe. A council was appointed, which was not to exceed twenty-one, nor be leſs than

[x] Thurloe, vol. i. p. 393.

thirteen perſons. Theſe were to enjoy their office during life or good behaviour; and in caſe of a vacancy, the remaining members named three, of whom the protector choſe one. The protector was appointed ſupreme magiſtrate of the commonwealth: In his name was all juſtice to be adminiſtered; from him were all magiſtracy and honours derived; he had the power of pardoning all crimes, excepting murder and treaſon; to him the benefit of all forfeitures devolved. The right of peace, war, and alliance, reſted in him; but in theſe particulars he was to act by the advice and with the conſent of his council. The power of the ſword was veſted in the protector, jointly with the parliament, while it was ſitting, or with the council of ſtate in the intervals. He was obliged to ſummon a parliament every three years, and allow them to ſit five months, without adjournment, prorogation, or diſſolution. The bills, which they paſſed, were to be preſented to the protector for his aſſent; but if within twenty days it were not obtained, they were to become laws by the authority alone of parliament. A ſtanding army for Great Britain and Ireland was eſtabliſhed, of 20,000 foot and 10,000 horſe; and funds were aſſigned for their ſupport. Theſe were not to be diminiſhed without conſent of the protector; and in this article alone he aſſumed a negative. During the intervals of parliament, the protector and council had the power of enacting laws, which were to be valid till the next meeting of parliament. The chancellor, treaſurer, admiral, chief governors of Ireland and Scotland, and the chief juſtices of both the benches, muſt be choſen with the approbation of parliament; and in the intervals, with the approbation of the council, to be afterwards ratified by parliament. The protector was to enjoy his office during life; and on his death, the place was immediately to be ſupplied by the council. This was the inſtrument of government enacted by the council of officers, and ſolemnly ſworn to by Oliver Cromwel. The council of ſtate, named by the inſtrument, were fifteen; men entirely devoted to the protector, and by reaſon of the oppoſition among themſelves in party and principles, not likely ever to combine againſt him.

CROMWEL ſaid, that he accepted the dignity of protector, merely that he might exert the duty of a conſtable, and preſerve peace in the nation. Affairs indeed were brought to that paſs, by the furious animoſities of the ſeveral factions, that the extenſive authority and even arbitrary power of ſome firſt magiſtrate was become a neceſſary evil, in order to keep the people from relapſing into blood and confuſion. The independents were too ſmall a party ever to eſtabliſh a popular government, or entruſt the nation, where they had ſo little intereſt, with the free choice of its repreſentatives. The preſbyterians had adopted the violent maxims of perſecution; incompatible at all times with the peace of ſociety, much more with the wild zeal of thoſe numerous ſects, which prevailed among the people. The royaliſts were ſo much enraged by the injuries, which they had ſuffered, that

the other prevailing parties would never ſubmit to them, who, they knew were enabled, merely by the execution of the ancient laws, to take ſevere vengeance upon them. Had Cromwel been guilty of no crime but this temporary uſurpation, the plea of neceſſity and public good, which he alledged, might be allowed, in every view, a reaſonable excuſe for his conduct.

DURING the variety of ridiculous and diſtracted ſcenes which the civil government exhibited in England, the military force was exerted with vigor, conduct, and unanimity; and never did the kingdom appear more formidable to all foreign nations. The Engliſh fleet, conſiſting of a hundred ſail, and commanded by Monk and Dean, and under them by Pen and Lauſon, met, near the coaſt of Flanders, with the Dutch fleet, equally numerous, and commanded by Tromp. The two republics were not inflamed by any national antipathy, and their intereſts very little interfered: Yet few battles have been diſputed with more fierce and obſtinate courage than were thoſe many naval combats, which were fought during this ſhort, but violent war. The deſire of remaining ſole lords of the ocean animated theſe ſtates to an honourable emulation againſt each other. After a battle of two days, in the firſt of which Dean was killed, the Dutch, inferior in the ſize of their ſhips, were obliged, with great loſs, to retire into their harbours. Blake, towards the end of the fight, joined his countrymen with eighteen ſail. The Engliſh fleet lay off the coaſt of Holland, and totally interrupted the commerce of that republic.

THE ambaſſadors, whom the Dutch had ſent over to England, gave them hopes of peace. But as they could obtain no ceſſation of hoſtilities, the ſtates, unwilling to ſuffer any longer the loſs and diſhonour of being blockaded by the enemy, made the utmoſt efforts to recover their injured honour. Never on any occaſion did the power and vigour of that republic appear in a more conſpicuous light. In a few weeks, they had repaired and manned their fleet; and they equipped ſome ſhips of a larger ſize, than any which they had hitherto ſent to ſea. Tromp iſſued out, determined again to fight the victors, and to die rather than to yield the conteſt. He met with the enemy commanded by Monk; and both ſides immediately ruſhed into the combat. Tromp, gallantly animating his men, with his ſword drawn, was ſhot through the heart with a muſquet ball. This event alone decided the battle in favour of the Engliſh. Though near thirty ſhips of the Dutch were ſunk and taken, they little regarded this loſs compared with that of their brave admiral. 1653 29th July.

MEANWHILE the negociations of peace were continually advancing. The ſtates, overwhelmed with the expence of the war, terrified by their loſſes, and mortified by their defeats, were extremely deſirous of an accommodation with an enemy whom they found, by experience, too powerful for them. The king having ſhown an inclination to ſerve on board their

fleet; though they expreſſed their ſenſe of the honour intended them, they declined an offer, which might inflame the quarrel with the Engliſh commonwealth. The great obſtacle to the peace was found not to be any animoſity on the part of the Engliſh; but on the contrary a deſire too earneſt of union and confederacy. Cromwel had revived the chimerical ſcheme of a coalition with the united provinces; a total conjunction of government, privileges, intereſts, and councils. This project appeared ſo wild to the ſtates, that they wondered any man of ſenſe could ever entertain it; and they refuſed to enter into conferences with regard to a propoſal, which could ſerve only to delay any practicable ſcheme of accommodation. The peace was at laſt ſigned by Cromwel, now inveſted with the dignity of protector; and it proves ſufficiently, that the war had been impolitic, ſince, after the moſt ſignal victories, no terms more advantageous could be obtained. A defenſive league was made between the two republics. They agreed, each of them, to baniſh the enemies of the other; thoſe who had been concerned in the maſſacre of Amboyna were to be puniſhed, if any remained alive; the honour of the flag was yielded to the Engliſh; eighty-five thouſand pounds were ſtipulated to be paid by the Dutch Eaſt India company for loſſes, which the Engliſh company had ſuſtained; and the iſland of Polerone in the Eaſt Indies was promiſed to be ceded to the latter.

1654. 15th April. Peace with Holland.

CROMWEL, jealous of the connexions between the royal family and that of Orange, inſiſted on a ſeparate article; that neither the young prince nor any of his family ſhould ever be inveſted with the dignity of ſtadtholder. The province of Holland, ſtrongly prejudiced againſt that office, which they eſteemed dangerous to liberty, ſecretly ratified this article. The protector, knowing that the other provinces would not be induced to make ſuch conceſſion, was ſatisfied with this ſecurity.

THE Dutch war, being ſucceſsful, and the peace reaſonable, brought credit to Cromwel's adminiſtration. An act of juſtice which he exerciſed at home, gave likewiſe ſatisfaction to the people; though the regularity of it may perhaps appear ſomewhat doubtful. Don Pantaleon Sa, brother to the Portugueſe ambaſſador, and joined with him in the ſame commiſſion [y], fancying himſelf to be inſulted, came upon the exchange, armed and attended by ſeveral ſervants. By miſtake, he fell on a gentleman, whom he took for the perſon that had given him the offence; and having butchered him with many wounds, he and all his attendants took ſhelter in the houſe of the Portugueſe ambaſſador, who had connived at this baſe enterprize [z]. The populace ſurrounded the houſe, and threatened to ſet fire to it. Cromwel ſent a guard, who ſeized all the criminals. They were

[y] Thurloe, vol. ii. p. 429.

[z] Ibid. vol. i. p. 616.

brought to trial: And notwithſtanding the oppoſition of the ambaſſador, who pleaded the privileges of his office, Don Pantaleon was executed on Tower-hill. The laws of nations were here plainly violated: But the crime committed by the Portugueſe gentleman was to the laſt degree atrocious; and the vigorous chaſtiſement of it, ſuiting ſo well the undaunted character of Cromwel, was univerſally approved of at home and admired among foreign nations. The ſituation of Portugal obliged that court to acquieſce; and the ambaſſador ſoon after ſigned with the protector a treaty of peace and alliance, which was very advantageous to the Engliſh commerce.

ANOTHER act of ſeverity, but neceſſary in his ſituation, was, at the very ſame time exerciſed by the protector, in the capital puniſhment of Gerard and Vowel, two royaliſts, who were accuſed of conſpiring againſt his life. He had erected a high court of juſtice for their trial; an infringement of the ancient laws, which at this time was become familiar, but one to which no cuſtom or precedent could reconcile the nation. Juries were found altogether unmanageable. The reſtleſs Lilburn, for new offences, had been brought to a new trial; and had been acquitted with new triumph and exultation. If no other method of conviction had been deviſed during this illegal and unpopular government, all its enemies were aſſured of entire impunity.

THE protector had occaſion to obſerve the prejudices entertained againſt his government, by the diſpoſition of the parliament, which he ſummoned on the third of September, that day of the year on which he gained his two great victories of Dunbar and Worceſter, and which he always regarded as fortunate for him. It muſt be confeſſed, that, if we are left to gather Cromwel's intentions from his inſtrument of government, it is ſuch a motley piece, that we cannot eaſily conjecture, whether he ſeriouſly meant to eſtabliſh a tyranny or a republic. On one hand, a firſt magiſtrate, in ſo extenſive a government, ſeemed neceſſary both for the dignity and tranquillity of the ſtate; and the authority, which he aſſumed as protector, was, in ſome reſpects, inferior to the prerogatives, which the laws entruſted and ſtill entruſt to the king. On the other hand, the legiſlative power, which he reſerved to himſelf and council, together with ſo great an army, independent of the parliament, were bad prognoſtics of his intention to ſubmit to a civil and legal conſtitution. But if this were not his intention, the method in which he diſtributed and conducted the elections, being ſo favourable to liberty, form an inconſiſtency which is not eaſily accounted for. He deprived of their right of election all the ſmall boroughs, places the moſt expoſed to influence and corruption. Of 400 members, which repreſented England, 270 were choſen by the counties. The reſt were elected by London, and the more conſiderable corporations. The lower populace too, ſo eaſily

1654. 3d Septem. A new parliament.

guided or deceived, were excluded from the elections: An eſtate of 200 pounds value was neceſſary to entitle any one to a vote. The elections of this parliament were conducted with perfect freedom; and, excepting that ſuch of the royaliſts as had borne arms againſt the parliament and all their ſons were excluded, a more fair repreſentation of the people could not be deſired or expected. Thirty members were returned from Scotland; as many from Ireland.

THE protector ſeems to have been diſappointed, when he found, that all theſe precautions, which were probably nothing but covers to his ambition, had not procured him the confidence of the public. Though Cromwel's adminiſtration was leſs odious to every party than that of any other party, yet was it entirely acceptable to none. The royaliſts had been inſtructed by the king to remain quiet, and to cover themſelves under the appearance of republicans; and they found in this latter faction ſuch inveterate hatred againſt the protector, that they could not wiſh for more zealous adverſaries to his authority. It was maintained by them, that the pretence of liberty and a popular election was but a new artifice of this great deceiver, in order to lay aſleep the deluded nation, and give himſelf leiſure to rivet their chains more ſecurely upon them: That in the inſtrument of government he openly declared his intention of ſtill retaining the ſame mercenary army, by whoſe aſſiſtance he had ſubdued the ancient eſtabliſhed government, and who would with leſs ſcruple obey him, in overturning, whenever he ſhould pleaſe to order them, that new ſyſtem, which he himſelf had been pleaſed to model: That being ſenſible of the danger and uncertainty of all military government, he endeavoured to intermix ſome appearance, and but an appearance of civil adminiſtration, and to balance the army by a ſeeming conſent of the people: That the abſurd trial, which he had made, of a parliament, elected by himſelf, appointed perpetually to elect their ſucceſſors, plainly proved, that he aimed at nothing but temporary expedients, was totally averſe to a free republican government, and poſſeſſed not that mature and deliberate reflection, which could qualify him to act the part of a legiſlator: That his imperious character, which had betrayed itſelf in ſo many incidents, could never ſeriouſly ſubmit to legal limitations, nor would the very image of popular government be longer upheld than while conformable to his arbitrary will and pleaſure: And that the beſt policy was to oblige him to take off the maſk at once; and either ſubmit entirely to that parliament which he had ſummoned, or by totally rejecting its authority, leave himſelf no reſource but in his ſeditious and enthuſiaſtic army.

IN proſecution of theſe views, the parliament, having heard the protector's ſpeech, three hours long [a], and having choſen Lenthal for their ſpeak-

[a] Thurloe, vol. ii. p. 588.

er, immediately entered into a diſcuſſion of the pretended inſtrument of government, and of that authority, which Cromwel, by the title of protector, had aſſumed over the nation. The greateſt liberty was uſed in arraigning this new dignity; and even the perſonal character and conduct of Cromwel eſcaped not without cenſure. The utmoſt, that could be obtained by the officers and by the court party, for ſo they were called, was to protract the debate by arguments and long ſpeeches, and prevent the deciſion of queſtion, which, they were ſenſible, would be carried againſt them by a great majority. The protector, ſurpriſed and enraged at this refractory ſpirit in the parliament, which however he had ſo much reaſon to expect, ſent for them to the painted chamber, and with an air of great authority inveighed againſt their conduct. He told them that nothing could be more abſurd than for them to diſpute his title; ſince the ſame inſtrument of government, which made them a parliament, had inveſted him with the protectorſhip; that ſome points in the new conſtitution were ſuppoſed to be fundamentals, and were not, on any pretence, to be altered or diſputed; that among theſe were the government of the nation by a ſingle perſon and a parliament, their joint authority over the army and militia, the ſucceſſion of new parliaments, and liberty of conſcience; and that, with regard to theſe particulars, there was reſerved to him a negative voice, to which, in the other circumſtances of government, he confeſſed himſelf no wiſe intitled.

THE protector now found the neceſſity of exacting a ſecurity, which, had he foreſeen the ſpirit of the houſe, he would with better grace have required at the firſt meeting [b]. He obliged the members to ſign a recognition of his authority, and an engagement not to propoſe or conſent to any alteration in the government, as it was ſettled in a ſingle perſon and a parliament; and he placed guards at the door of the houſe, who allowed none but ſubſcribers to enter. Moſt of the members, after ſome heſitation, ſubmitted to this condition; but retained the ſame refractory ſpirit, which they had diſcovered in their firſt debates. The inſtrument of government was taken in pieces, and examined, article by article, with the moſt ſcrupulous accuracy: Very free topics were advanced with the general approbation of the houſe: And during the whole courſe of their proceedings, they neither ſent up one bill to the protector, nor took any notice of him. Being informed, that conſpiracies were entered into between the members and ſome malcontent officers; he haſtened to the diſſolution of ſo dangerous an aſſembly. By the inſtrument of government, to which he had ſworn, no parliament could be diſſolved, till it had ſitten five months; but Cromwel pretended, that a month contained only twenty-eight days, according to the method of computation practiſed in paying the fleet and army.

[b] Thurloe, vol. ii p. 610.

The full time, therefore, according to this reckoning, being elapſed, the parliament was ordered to attend the protector, who made them a tedious, confuſed, angry harangue, and diſmiſſed them. Were we to judge of Cromwel's capacity by this, and indeed by all his other compoſitions, we ſhould be apt to entertain no very favourable idea of it. But in the great variety of human geniuſes, there are ſome, which, though they ſee their object clearly and diſtinctly in general; yet when they come to unfold its parts by diſcourſe or writing, loſe that luminous conception, which they had before attained. All accounts agree in aſcribing to Cromwel a tireſome, dark, unintelligible elocution, even when he had no intention to diſguiſe his meaning: Yet no man's actions were ever, in ſuch a variety of difficult incidents, more deciſive and judicious.

THE electing of a diſcontented parliament is a proof of a diſcontented nation: The angry and abrupt diſſolution of that parliament is always ſure to encreaſe the general diſcontent. The members of this aſſembly, returning to their counties, propagated that ſpirit of mutiny, which they had exerted in the houſe. Sir Harry Vane and the old republicans, who maintained the indiſſoluble authority of the long parliament, encouraged the murmurs againſt the preſent uſurpation; though they acted ſo cautiouſly as to give the protector no handle againſt them. Wildman and ſome others of that party carried ſtill farther their conſpiracies againſt the protector's authority. The royaliſts, obſerving this general ill-will towards the eſtabliſhment, could no longer be retained in ſubjection; but fancied, that every one, who was diſſatisfied like them, had alſo embraced the ſame views and inclinations. They did not conſider, that the old parliamentary party, though many of them were diſpleaſed with Cromwel, who had diſpoſſeſſed them of their power, were ſtill more apprehenſive of any ſucceſs to the royal cauſe; whence, beſides a certain proſpect of the ſame conſequence, they had ſo much reaſon to dread the ſevereſt vengeance for their paſt tranſgreſſions.

1655. Inſurrection of the royaliſts.

IN concert with the king a conſpiracy was entered into by the royaliſts throughout England, and a day of general riſing appointed. Information of this deſign was conveyed to Cromwel. The protector's adminiſtration was extremely vigilant. Thurloe, his ſecretary, had ſpies every where. Manning, who had acceſs to the king's family, kept a regular correſpondence with him. And it was not difficult to obtain intelligence of a confederacy, ſo generally diffuſed among a party, who valued themſelves more on zeal and courage, than on ſecrecy and ſobriety. Many of the royaliſts were thrown into priſon. Others, on the approach of the day, were terrified with the danger of the undertaking, and remained at home. In one place alone the conſpiracy broke into action. Penruddoc, Groves, Jones, and other gentlemen of the weſt, entered Saliſbury with about 200 horſe;

11th of March.

at the very time when the ſheriff and judges were holding the aſſizes. Theſe they made priſoners; and they proclaimed the king. Contrary to their expectations, they received no acceſſion of force; ſo prevalent was the terror of the eſtabliſhed government. Having in vain wandered about for ſome time, they were totally diſcouraged; and one troop of horſe was able at laſt to ſuppreſs them. The leaders of the conſpiracy, being taken priſoners, were capitally puniſhed. The reſt were ſold for ſlaves, and tranſported to Barbadoes.

THE eaſy ſubduing of this inſurrection, which, by the boldneſs of the undertaking, ſtruck at firſt a great terror into the nation, was a ſingular felicity to the protector; who could not, without danger, have brought together any conſiderable body of his mutinous army, in order to ſuppreſs it. The very inſurrection itſelf he regarded as a fortunate event; ſince it proved the reality of thoſe conſpiracies, which his enemies, on every occaſion, repreſented as mere fictions, invented to colour his tyrannical ſeverities. He reſolved to keep no longer any terms with the royaliſts, who, though they were not perhaps the moſt implacable of his enemies, were thoſe whom he could oppreſs under the moſt plauſible pretences, and who met with leaſt countenance and protection from his adherents. He iſſued an edict with the conſent of his council, for exacting the tenth penny from that whole party; in order, as he pretended, to make them pay the expences, to which their mutinous diſpoſition continually expoſed the public. Without regard to compoſitions, articles of capitulation, or acts of indemnity, all the royaliſts, however haraſſed with former oppreſſions, were obliged anew to redeem themſelves by great ſums of money; and many of them were reduced by theſe multiplied diſaſters to extreme poverty. Whoever was known to be diſaffected, or even lay under any ſuſpicion, though no guilt could be proved againſt him, was expoſed to the new exaction.

IN order to raiſe this impoſition, which commonly paſſed by the name of decimation, the protector inſtituted twelve major-generals; and divided the whole kingdom of England into ſo many military juriſdictions [c]. Theſe men, aſſiſted by commiſſioners, had power to ſubject whom they pleaſed to decimation, to levy all the taxes impoſed by the protector and his council, and to impriſon any perſon who ſhould be expoſed to their jealouſy or ſuſpicion; nor was there any appeal from them but to the protector himſelf and his council. Under colour of theſe powers, which were ſufficiently exorbitant, the major-generals exerciſed an authority ſtill more arbitrary, and acted as if abſolute maſters of the property and perſon of every ſubject. All reaſonable men now concluded, that the very maſque of liberty was thrown aſide, and that the nation was ever ſubjected to military and

[c] Parl. Hiſt. vol xx. p. 433.

deſpotic government, exerciſed not in the legal manner of European nations, but according to the maxims of eaſtern tyranny. Not only the ſupreme magiſtrate owed his authority to illegal force and uſurpation: He had parcelled out the people into ſo many ſubdiviſions of ſlavery, and had delegated to his inferior miniſters the ſame unlimited authority, which he himſelf had ſo violently aſſumed.

A GOVERNMENT, totally military and deſpotic, is almoſt ſure, after ſome time, to fall into impotence and languor: But when it immediately ſucceeds a legal conſtitution, it may, at firſt, to foreign nations appear very vigorous and active, and may exert with more unanimity that power, ſpirit, and riches, which had been acquired under a better form. It ſeems now proper, after ſo long an interval, to look abroad to the general ſtate of Europe, and to conſider the meaſures, which England at this time, embraced in its negociations with the neighbouring princes. The moderate temper and unwarlike genius of the two laſt princes, the extreme difficulties under which they labour-ed at home, and the great ſecurity which they enjoyed from foreign enemies, had rendered them negligent of the tranſactions on the continent; and England, during their reigns, had been, in a manner, overlooked in the general ſyſtem of Europe. The bold and reſtleſs genius of the protector led him to extend his alliances and enterprizes to every part of Chriſtendom; and partly from the aſcendant of his magnanimous ſpirit, partly from the ſituation of foreign kingdoms, the weight of England, even under its moſt legal, and braveſt princes, was never more ſenſibly felt than during this unjuſt and violent uſurpation.

1655. State of Europe.

A WAR of thirty years, the moſt ſignal and moſt deſtructive that had appeared in modern annals, was at laſt finiſhed in Germany [d]; and by the treaty of Weſtphalia, were compoſed thoſe fatal quarrels, which had been excited by the Palatine's precipitate acceptance of the crown of Bohemia. The young Palatine was reſtored to part of his dignities and of his dominions [e]. The rights, privileges, and authority of the ſeveral members of the Germanic body were fixed and aſcertained: Sovereign princes and free ſtates were in ſome degree reduced to obedience under laws: And by the valour of the heroic Guſtavus, the enterprizes of the active Richelieu, the intrigues of the artful Mazarine, was in part effected, after an infinite expence of blood and treaſure, what had been fondly expected and loudly demanded from the feeble efforts of the pacific James, ſeconded by the ſcanty ſupplies of his jealous parliaments.

SWEDEN, which had acquired by conqueſt large dominions in the north

[d] In 1648.

[e] This prince, during the civil wars, had much neglected his uncle and payed court to the parliament: He accepted of a penſion of 8000 l. a year from them, and took a place in their aſſembly of divines.

of Germany, was engaged in enterprizes, which promiſed her, from her ſucceſs and valour, ſtill more extenſive acquiſitions on the ſide both of Poland and of Denmark. Charles X. who had mounted the throne of that kingdom after the voluntary reſignation of Chriſtiana, being ſtimulated by the fame of Guſtavus as well as by his own martial diſpoſition, carried his conquering arms to the ſouth of the Baltic, and gained the celebrated battle of Warſaw, which had been obſtinately diſputed during the ſpace of three days. The protector, at the time his alliance was courted by every power in Europe, anxiouſly courted the alliance of Sweden; and he was fond of forming a confederacy with a proteſtant power of ſuch renown, even though it threatened the whole north with conqueſt and ſubjection.

THE tranſactions of the parliament and protector with France had been various and complicated. The emiſſaries of Richelieu had furniſhed fuel to the flame of rebellion, when it firſt broke out in Scotland; but after the conflagration had diffuſed itſelf, the French court, obſerving the materials to be of themſelves ſufficiently combuſtible, found it unneceſſary any longer to animate the Britiſh malcontents to an oppoſition of their ſovereign. On the contrary, they offered their mediation for compoſing theſe inteſtine diſorders; and their ambaſſadors, from decency, pretended to act in concert with the court of England, and to receive further directions from a prince, with whom their maſter was connected with ſo near an affinity. Meanwhile, Richelieu died, and ſoon after him, the French king, Louis XIII. leaving his ſon an infant four years old, and his widow, Anne of Auſtria, regent of the kingdom. Cardinal Mazarine ſucceeded Richelieu in the miniſtry; and the ſame general plan of policy, though by men of ſuch oppoſite characters, was ſtill continued in the French counſels. The eſtabliſhment of royal authority, the reduction of the Auſtrian family, were purſued with ardor and ſucceſs; and every year brought an acceſſion of force and grandeur to the French monarchy. Not only battles were won, towns and fortreſſes taken; the genius too of the nation ſeemed gradually to improve, and to compoſe itſelf to the ſpirit of dutiful obedience and of ſteddy enterprize. A Condé, a Turenne were formed; and the troops, animated by their valour, and guided by their diſcipline, acquired every day a greater aſcendant over the Spaniards. All of a ſudden, from ſome intrigues of the court, and ſome diſcontents in the courts of judicature, inteſtine commotions were excited, and every thing relapſed into confuſion. But theſe rebellions of the French, neither ennobled by the ſpirit of liberty, nor diſgraced by the fanatical extravagances, which diſtinguiſhed the Britiſh civil wars, were conducted with little bloodſhed, and made but a ſmall impreſſion on the minds of the people. Though ſeconded by the force of Spain, and conducted by the prince of Condé, the malcontents, in a little time, were either expelled or ſubdued; and the French monarchy, having loſt a

few of its conquests, returned, with fresh vigour, to the acquisition of new dominion.

THE queen of England and her son, Charles, during these commotions, passed most of their time at Paris: and notwithstanding their near connexion of blood, received but few civilities, and still less support, from the French court. Had the queen regent been ever so much inclined to assist the English prince, the disorders of her own affairs would, for a long time, have rendered such intentions impracticable. The banished queen had a moderate pension assigned her; but it was so ill payed, and her credit ran so low, that, one morning, when the cardinal de Retz waited on her, she informed him, that her daughter, the princess Henrietta, was obliged to lie abed, for want of a fire to warm her. To such a condition was reduced, in the midst of Paris, a queen of England, and daughter of Henry IV. of France!

THE English parliament, however, having assumed the sovereignty of the state, resented the countenance, cold as it was, which the French court gave to the unfortunate monarch. On pretence of injuries, of which the English merchants complained, they issued letters of reprisal upon the French; and Blake went so far as to attack and seize a whole squadron of ships, which were carrying supplies to Dunkirk, then closely besieged by the Spaniards. That town, disappointed of these supplies, fell into the hands of the enemy. The French ministers soon found it necessary to change their measures. They treated Charles with such affected indifference, that he thought it more decent to withdraw, and prevent the indignity of being desired to leave the kingdom. He went first to Spaw, thence he retired to Cologne; where he lived two years on a small pension, about 6000 pounds a-year, payed him by the court of France, and on some contributions sent him by his friends in England. In the management of his family, he discovered a disposition to order and œconomy; and his temper, cheerful, careless, and sociable, was more than a sufficient compensation for that empire, of which his enemies had bereaved him. Sir Edward Hyde, created lord chancellor, and the marquess of Ormond, were his chief friends and confidents.

IF the French ministry had thought it prudent to bend under the English parliament, they deemed it still more necessary to pay deference to the protector, when he assumed the reins of government. Cardinal Mazarine, by whom all the councils of France were directed, was artful and vigilant, supple and patient, false and intriguing; desirous rather to prevail by dexterity than violence, and placing his honour more in the final success of his measures than in the splendor and magnanimity of the means which he employed. Cromwel, by his imperious character, rather than by the advantage of his situation, acquired an ascendant over this man; and every pre-

poſal made by the protector, however unreaſonable in itſelf, and urged with whatever inſolence, met with a ready compliance from the politic and timid cardinal. Bourdeaux was ſent over to England as miniſter; and all circumſtances of reſpect were paid to the daring uſurper, who had imbrued his hands in the blood of his ſovereign, a prince ſo nearly related to the royal family of France. With indefatigable patience did Bourdeaux conduct this negociation, which Cromwel ſeemed entirely to neglect; and though privateers, with Engliſh commiſſions, committed daily depredations on the French commerce, Mazarine was content, in hopes of a fortunate iſſue, ſtill to ſubmit to theſe indignities [f].

THE court of Spain, leſs connected with the unfortunate royal family, and reduced to greater diſtreſs than the French monarchy, had been ſtill more forward in her advances to the proſperous parliament and protector. Don Alonzo de Cardenas, the Spaniſh envoy, was the firſt public miniſter who recognized the authority of the new republic; and, in return for this civility, Aſcham was ſent envoy into Spain by the parliament. No ſooner had this miniſter arrived in Madrid, than ſome of the baniſhed royaliſts, inflamed by that inveterate hatred which animated the Engliſh factions, broke into his chamber, and murdered him, together with his ſecretary. Immediately they took ſanctuary in the churches; and, aſſiſted by the general favour, which every where attended the royal cauſe, were enabled, moſt of them, to make their eſcape. Only one of the criminals ſuffered death; and the parliament ſeemed to reſt ſatisfied with this atonement.

SPAIN, at this time, aſſailed every where by vigorous enemies from without, and labouring under many internal diſorders, retained nothing of her former grandeur, except the haughty pride of her counſels, and the hatred and jealouſy of her neighbours. Portugal had rebelled, and eſtabliſhed her monarchy in the houſe of Braganza: Catalonia, complaining of violated privileges, had revolted to France: Naples was ſhaken with popular convulſions: The Low Countries were invaded with ſuperior forces, and ſeemed ready to change their maſter: The Spaniſh infantry, anciently ſo formidable, had been annihilated by Condé in the fields of Rocroy: And though the ſame prince, baniſhed France, ſuſtained by his activity and valour, the falling fortunes of Spain, he could only hope to protract, not prevent, the ruin with which that monarchy was viſibly threatened.

HAD Cromwel underſtood and regarded the intereſts of his country, he would have ſupported the declining condition of Spain againſt the dangerous ambition of France, and preſerved that balance of power, on which the greatneſs and ſecurity of England ſo much depended. Had he ſtudied only

[f] Thurloe, vol. iii. p. 103. 619. 653. In the treaty, which was ſigned after long negociation, the protector's name was inſerted before the French king's in that copy which remained in England. Thurloe, vol. vi. p. 116. See farther, vol. vii. p. 178.

his own intereſts, he would have maintained an exact neutrality between thoſe great monarchies; nor would he have hazarded his ill-acquired and unſettled power, by provoking foreign enemies, who might lend aſſiſtance to domeſtic faction, and overturn his tottering throne. But his magnanimity undervalued danger: His active diſpoſition, and avidity of extenſive glory, made him incapable of repoſe: And as the policy of men is continually warped by their temper, no ſooner was peace made with Holland, than he began to deliberate what new enemy he ſhould invade with his victorious arms.

1655. War with Spain.

THE extenſive empire and yet extreme weakneſs of Spain in the Weſt Indies; the vigorous courage and great naval power of England; were circumſtances which, when compared, excited the ambition of the enterprizing protector, and made him hope that he might, by ſome gainful conqueſt, render for ever illuſtrious that dominion which he had aſſumed over his country. Should he fail of theſe durable acquiſitions, the Indian treaſures, which muſt every year croſs the ocean to reach Spain, were, he thought, a ſure prey to the Engliſh navy, and would ſupport his military force, without his laying new burdens on the diſcontented people. From France a vigorous reſiſtance muſt be expected: No plunder, no conqueſt could be hoped for: The progreſs of his arms, even if attended with ſucceſs, muſt there be ſlow and gradual: And the advantages acquired, however real, would be leſs ſtriking to the multitude, whom it was his intereſt to allure. The royal family, ſo cloſely connected with the French monarch, might receive great aſſiſtance from that neighbouring kingdom; and an army of French proteſtants, landed in England, would be able, he dreaded, to unite the moſt oppoſite factions againſt the preſent uſurpation [g].

THESE motives of policy were probably ſeconded by his bigoted prejudices; as no human mind ever contained ſo ſtrange a mixture of ſagacity and abſurdity as that of this extraordinary perſonage. The Swediſh alliance, though much contrary to the intereſts of England, he had contracted, merely from his zeal for proteſtantiſm [h]; and Sweden being cloſely connected with France, he could not hope to maintain that confederacy, in which he ſo much prided himſelf, ſhould a rupture enſue between England and this latter kingdom [i]. The Hugonots, he expected, would meet with better treatment, while he engaged in a cloſe union with their ſovereign [k]. And as the Spaniards were much more papiſts than the French, they were much more expoſed to the old puritanical hatred [l], and had even

[g] See the account of the negociations with France and Spain by Thurloe, vol. i. p. 759.

[h] He propoſed to Sweden a general league and confederacy of all the proteſtants. Whitlocke, p. 620. Thurloe, vol. vii. p. 1. In order to judge of the maxims, by which he conducted his foreign politics, ſee farther Thurloe, vol. iv. p. 295. 343. 493. vol. vii. p. 174.

[i] Thurloe, vol. i. p. 759.

[k] Thurloe, vol. i. p. 759.

[l] Id. ibid.

erected the bloody tribunal of the inquiſition, whoſe rigours they had refuſed to mitigate on Cromwel's ſolicitation [m]; he hoped that a holy and meritorious war with ſuch idolaters could not fail of protection from heaven [n]. A preacher likewiſe, inſpired, as was ſuppoſed, by a prophetic ſpirit, bid him *go and proſper*; calling him *a ſtone cut out of the mountains without hands, that would break the pride of the Spaniards, cruſh Antichriſt, and make way for the purity of the Goſpel over the whole world* [o].

ACTUATED equally by theſe bigoted, theſe ambitious, and theſe intereſted motives, the protector equipped two conſiderable ſquadrons; and while he was making thoſe preparations, the neighbouring ſtates ignorant of his intentions, remained in ſuſpence, and looked with anxious expectation on what ſide the ſtorm ſhould diſcharge itſelf. One of theſe ſquadrons, conſiſting of thirty capital ſhips, was ſent into the Mediterranean under Blake, whoſe fame was now ſpread over Europe. No Engliſh fleet, except during the Cruſades, had ever before ſailed in thoſe ſeas; and from one extremity to the other, there was no naval force, Chriſtian or Mahometan, able to reſiſt them. The Roman pontiff, whoſe weakneſs and whoſe pride equally provoked attacks, dreaded invaſion from a power which profeſſed the moſt inveterate enmity againſt him, and which ſo little regulated its movements by the uſual motives of intereſt and prudence. Blake, caſting anchor before Leghorn, demanded and obtained from the duke of Tuſcany reparation for ſome loſſes which the Engliſh commerce had formerly ſuſtained from him. He next ſailed to Algiers, and compelled the dey to make peace, and to refrain his pyratical ſubjects from farther violences on the Engliſh. He preſented himſelf before Tunis; and having there made the ſame demands, the dey of that republic bade him look to the caſtles of Porto Farino and Goletta, and do his utmoſt. Blake needed not to be rouzed by ſuch a bravado: He drew his ſhips cloſe up to the caſtles, and tore them in pieces with his artillery. He ſent a numerous detachment of ſailors in their long boats into the harbour, and burned every ſhip which lay there. This bold action, which its very temerity, perhaps, rendered ſafe, was executed with little loſs, and filled all that part of the world with the renown of Engliſh valour.

THE other ſquadron was not equally ſucceſsful. It was commanded by Penn, and carried on board 4000 men, under the command of Venables. About 5000 more joined them from Barbadoes and St. Chriſtopher's. Both theſe officers were inclined to the king's ſervice [p]; and it is pretended that Cromwel was obliged to

1655. Jamaica conquered.

[m] Id. ibid. Don Alonzo ſaid, that, the Indian trade and the inquiſition were his maſter's two eyes, and the protector inſiſted upon the putting out both of them at once.

[n] Carrington, p. 191 [o] Bates. [p] Claren lon

hurry the ſoldiers on board, in order to prevent the execution of a conſpiracy which had been formed among them, in favour of the exiled family [q]. The ill ſucceſs of this enterprize may juſtly be aſcribed, as much to the injudicious ſchemes of the protector, who planned it, as to the bad execution of the officers, by whom it was conducted. The ſoldiers were the refuſe of the whole army: The forces, inliſted in the Weſt Indies, were the moſt profligate of mankind: Pen and Venables were of incompatible tempers: The troops were not furniſhed with arms fit for ſuch an expedition: Their proviſions were defective both in quantity and quality: All hopes of pillage, the beſt incentive to valour among ſuch men, were refuſed the ſoldiers and ſeamen: No directions or intelligence were given to conduct the officers in their enterprize: And at the ſame time, they were tied down to follow the advice of commiſſioners, who diſconcerted them in all their projects [r].

1655. 13th April. It was agreed by the admiral and general to attempt St. Domingo, the only place of ſtrength in the iſland of Hiſpaniola. On the approach of the Engliſh the Spaniards in a fright deſerted their houſes, and fled into the woods. Contrary to the opinion of Venables, the ſoldiers were diſembarked without guides ten leagues diſtant from the town. They wandered four days through the woods without proviſions, and what was ſtill more intolerable in that ſultry climate, without water. The Spaniards recovered ſpirit, and attacked them. The Engliſh, diſcouraged with the bad conduct of their officers, and ſcarcely alive from hunger, thirſt, and fatigue, were unable to reſiſt. An inconſiderable number of the enemy put the whole army to rout, killed 600 of them, and chaſed the reſt on board their veſſels.

THE Engliſh commanders, in order to atone as much as poſſible for this unproſperous attempt, bent their courſe to Jamaica, which was ſurrendered to them without a blow. Pen and Venables returned to England, and were both of them ſent to the Tower by the protector, who, though commonly maſter of his fiery temper, was thrown into a violent paſſion at this diſappointment. He had made a conqueſt of greater importance than he was himſelf at that time aware of; yet was it much inferior to the vaſt projects which he had formed. He gave orders, however, to ſupport it by men and money; and that iſland has ever ſince remained in the hands of the Engliſh; the chief acquiſition which they owe to the enterprizing ſpirit of Cromwel.

As ſoon as the news of this expedition, which was an unwarrantable violation of treaty, arrived in Europe, the Spaniards de- 165

[q] Vita De Berwici, p. 124. [r] Burchet's Naval hiſtory. See alſo Carte's Collection, vol. ii. p. 46, 47. Thurloe, vol. iii. p. 505.

clared war againſt England, and ſeized all the ſhips and goods of Engliſh merchants, of which they could make themſelves maſters. The commerce with Spain, ſo profitable to the Engliſh, was cut off; and near 1500 veſſels, it is computed [s], fell in a few years into the hands of the enemy. Blake, to whom Montague was now joined in command, after receiving new orders, prepared himſelf for hoſtilities againſt the Spaniards.

SEVERAL ſea officers, having entertained ſcruples of conſcience with regard to the juſtice of the Spaniſh war, threw up their commiſſions, and retired [t]. No commands, they thought, of their ſuperiors could juſtify a war, which was contrary to the principles of natural equity, and which the civil magiſtrate had no right to order. Individuals, they maintained, in reſigning to the public their natural liberty, could beſtow on it only what they themſelves were poſſeſſed of, a right of performing lawful actions, and could inveſt it with no authority of commanding what is contrary to the decrees of heaven. Such maxims, though they ſeem reaſonable, are perhaps too perfect for human nature: and muſt be regarded as one effect, though of the moſt innocent and even honourable kind, of that ſpirit, partly fanatical, partly republican, which predominated in England.

BLAKE lay ſome time off Cadiz, in expectation of intercepting the plate fleet, but was at laſt obliged, for want of water, to make ſail towards Portugal. Captain Stayner, whom he had left on the coaſt with a ſquadron of ſeven veſſels, came in ſight of the galleons, and immediately ſet ſail to purſue them. The Spaniſh admiral ran his ſhip aſhore. Two others followed his example: The Engliſh took two ſhips valued at near two millions of pieces of eight. Two galleons were ſet on fire; and the marqueſs of Badajox, viceroy of Peru, with his wife and his daughter, betrothed to the young duke of Medina Celi, were deſtroyed in them. The marqueſs himſelf might have eſcaped; but ſeeing theſe unfortunate women, aſtoniſhed with the danger, fall into a ſwoon, and periſh in the flames, he rather choſe to die with them than drag out a life, embittered with the remembrance of ſuch diſmal ſcenes [u]. When the treaſures, gained by this enterprize, arrived at Portſmouth, the protector, from a ſpirit of oſtentation, ordered them to be tranſported by land to London.

1656. Succeſs. Septem.

THE next action againſt the Spaniards was more honourable, though leſs profitable, to the nation. Blake having heard that a Spaniſh fleet of ſixteen ſhips, much richer than the former, had taken ſhelter in the Canaries, immediately made ſail towards them. He found them in the bay of Santa Cruz, diſpoſed in a formidable poſture. The bay was ſecured with

[s] Thurloe, vol. iv. p. 135. World's Miſtake in Oliver Cromwel, in the Harl. Miſcel. vol. i. [t] Thurloe, vol. iv. p. 570. 589. [u] Ibid, vol. v. p. 433.

a ſtrong caſtle, well provided with cannon, beſides ſeven forts in ſeveral parts of it, all united by a line of communication, manned with muſqueteers. Don Diego Diaques, the Spaniſh admiral, ordered all his ſmaller veſſels to moor cloſe to the ſhore, and poſted the larger galleons farther off, at anchor, with their broadſides to the ſea.

BLAKE was rather animated than daunted with this appearance. The wind ſeconded his courage, and blowing full into the bay, in a moment brought him among the thickeſt of his enemies. After a reſiſtance of four hours, the Spaniards yielded to Engliſh valour, and abandoned their ſhips, which were ſet on fire, and conſumed with all their treaſure. The greateſt danger ſtill remained to the Engliſh. They lay under the fire of the caſtles and all the forts, which muſt, in a little time, have torn them in pieces. But the wind, ſuddenly ſhifting, carried them out of the bay; where they left the Spaniards in aſtoniſhment at the happy temerity of their audacious victors.

1656. And death of admiral Blake.

THIS was the laſt and greateſt action of the gallant Blake. He was conſumed with a dropſy and ſcurvy, and haſtened home that he might yield up his breath in his native country, which he had ſo much adorned by his valour. As he came within ſight of land, he expired [w]. Never man, ſo zealous for a faction, was ſo much reſpected and eſteemed even by the oppoſite factions. He was by principle an inflexible republican; and the late uſurpations, amidſt all the truſt and careſſes, which he received from the ruling powers, were thought to be very little grateful to him. *It is ſtill our duty*, he ſaid to the ſeamen, *to fight for our country into what hands ſoever the government may fall.* Diſintereſted, generous, liberal; ambitious only of true glory, dreadful only to his avowed enemies; he forms one of the moſt perfect characters of the age, and the leaſt ſtained with thoſe errors and violences, which were then ſo predominant. The protector ordered him a pompous funeral at the public charge. But the tears of his countrymen were the moſt honourable panegyric on his memory.

THE conduct of the protector i foreign affairs, though imprudent and impolitic, was full of vigour and enterprize, and drew a conſideration to his country, which, ſince the reign of Elizabeth, it ſeemed to have totally loſt. The great mind of this ſucceſsful uſurper was intent on ſpreading the renown of the Engliſh nation; and while he ſtruck mankind with aſtoniſhment at his extraordinary fortune, he ſeemed to ennoble, inſtead of debaſing, that people, whom he had reduced to ſubjection. It was his boaſt, that he would make the name of an Engliſhman as much feared and revered as

[w] 20th of April, 1657.

ever was that of a Roman; and as his countrymen found some reality in these pretensions, their national vanity being gratified, made them bear with more patience all the indignities and calamities, under which they laboured.

1656. Domestic administration of Cromwel.

It must also be acknowledged, that the protector, in his civil and domestic administration, displayed as great regard both to justice and clemency, as his usurped authority, derived from no law, and founded only on the sword, could possibly permit. All the chief offices in the courts of judicature were filled with men of integrity: Amidst the virulence of faction, the decrees of the judges were upright and impartial: And to every man but himself, and to himself, except where necessity required the contrary, the law was the great rule of conduct and behaviour. Vane and Lilburn, whose credit with the republicans and levellers he dreaded, were indeed for some time confined to prison: Cony, who refused to pay illegal taxes, was obliged by menaces to depart from his obstinacy: High courts of justice were erected to try those who had engaged in conspiracies and insurrections against the protector's authority, and whom he could not safely commit to the verdict of juries. But these irregularities were deemed inevitable consequences of his illegal authority. And though often urged by his officers, as is pretended [x], to attempt a general massacre of the royalists, he always with horror rejected such sanguinary counsels.

In the army was laid the sole basis of the protector's power; and in managing it consisted the chief art and delicacy of his government. The soldiers were held in exact discipline; a policy, which, both accustomed them to obedience, and made them less hateful and burthensome to the people. He augmented their pay; though the public necessities sometimes obliged him to run in arrears to them. Their interests, they were sensible, were closely connected with those of their general and protector. And he entirely commanded their affectionate regard, by his abilities and success in almost every enterprize which he had hitherto undertaken. But all military government is precarious; much more where it stands in opposition to civil establishments; and still more, where it encounters religious prejudices. By the wild fanaticism, which he had nourished in the soldiers, he had seduced them into measures, for which, if openly proposed to them, they would have entertained the utmost aversion. But this same spirit rendered them more difficult to be governed, and made their caprices terrible even to that hand, which directed their movements. So often taught, that the office of king was an usurpation upon Christ, they were apt to suspect a protector not to be altogether compatible with that divine authority.

[x] Clarendon, Life of Dr. Berwick, &c.

Harriſon, though raiſed to the higheſt dignity, and poſſeſſed of Cromwel's confidence, became his moſt inveterate enemy as ſoon as the authority of a ſingle perſon was eſtabliſhed, againſt which that uſurper had always made ſuch violent proteſtations. Overton, Rich, Okey, officers of rank in the army, were actuated with like principles, and Cromwel was obliged to deprive them of their commiſſions. Their influence, which was before thought unbounded among the troops, ſeemed from that moment to be totally annihilated.

THE more effectually to curb the enthuſiaſtic and ſeditious ſpirit of the troops, Cromwel eſtabliſhed a kind of militia in the ſeveral counties. Companies of infantry and cavalry were enliſted under proper officers, regular pay diſtributed among them, and a reſource by that means provided both againſt the inſurrections of the royaliſts, and mutiny of the army.

RELIGION can never be deemed a point of ſmall conſequence in civil government: But during this period, it may be regarded as the great ſpring of men's actions and determinations. Though tranſported, himſelf, with the moſt frantic whimſies, Cromwel had adopted a ſcheme for regulating this principle in others, which was ſagacious and political. Being reſolved to maintain a national church, yet determined neither to admit epiſcopacy nor preſbytery, he eſtabliſhed a number of commiſſioners, under the name of *tryers*, partly laymen, partly eccleſiaſtics, ſome preſbyterians, ſome independents. Theſe preſented to all livings, which were formerly in the gift of the crown; they examined and admitted ſuch perſons as received holy orders; and they inſpected the lives, doctrine, and behaviour of the clergy. Inſtead of ſupporting that union between learning and theology, which has ſo long been attempted in Europe, theſe tryers embraced the latter principle in its full purity, and made it the ſole object of their examination. The candidates were no more perplexed with queſtions concerning their progreſs in Greek and Roman erudition; concerning their talent for profane arts and ſciences; The chief object of ſcrutiny regarded their advances in grace, and fixing the critical moment of their converſion.

WITH the pretended ſaints of all denominations Cromwel was familiar and eaſy. Laying aſide the ſtate of protector, which, on other occaſions, he well knew how to maintain, he inſinuated to them, that nothing but neceſſity could ever oblige him to inveſt himſelf with it. He talked ſpiritually to them; he ſighed, he weeped, he canted, he prayed. He even entered with them into an emulation of ghoſtly gifts; and theſe men, inſtead of grieving to be outdone in their own way, were proud, that his highneſs, by his princely example, had dignified thoſe practices, in which they themſelves were daily occupied [y].

[y] Cromwel followed, though but in part, the advice which he received from general Harriſon, at the time when the intimacy and endearment moſt ſtrongly ſubſiſted be-

IF Cromwel might be ſaid to adhere to any particular form of religion, they were the independents who could chiefly boaſt of his favour; and it may be affirmed, that ſuch paſtors of that ſect, as were not paſſionately addicted to civil liberty, were all of them devoted to him. The preſbyterian clergy alſo, ſaved from the ravages of the anabaptiſts and millenarians, and enjoying their eſtabliſhments and tythes, were not averſe to his government; though he ſtill entertained a great jealouſy of that ambitious and reſtleſs ſpirit, by which they were actuated. He granted an unbounded liberty of conſcience, to all but catholics and prelatiſts; and by that means, he both attached the wild ſectaries to his perſon, and employed them in curbing the domineering ſpirit of the preſbyterians. "I am the "only man," he was often heard to ſay, "who has known how to ſubdue "that inſolent ſect, which can ſuffer none but itſelf."

THE proteſtant zeal, which poſſeſſed the preſbyterians and independents, was highly gratified by the haughty manner, in which the protector ſo ſucceſsfully ſupported the perſecuted proteſtants throughout all Europe. Even the duke of Savoy, ſo remote a power, and ſo little expoſed to the naval force of England, was obliged, by the authority of France, to comply with his mediation, and to tolerate the proteſtants of the vallies, againſt whom that prince had commenced a furious perſecution. France itſelf was conſtrained to bear, not only with the religion, but even, in ſome inſtances, with the ſeditious inſolence of the Hugonots; and when the French court applied for a reciprocal toleration of the catholic religion in England, the protector, who arrogated in every thing, the ſuperiority, would hearken to no ſuch propoſal. He had entertained the project of inſtituting a college in imitation of that at Rome, for the propagation of the faith; and his apoſtles, in zeal, though not in unanimity, had certainly been a full match for the catholics.

CROMWEL retained the church of England in conſtraint; though he permitted its clergy a little more liberty than the republican parliament had formerly allowed. He was pleaſed, that the ſuperior lenity of his adminiſtration ſhould in every thing be remarked. He bridled the royaliſts, both by the army which he retained, and by thoſe ſecret ſpies, which he found means to intermix in all their counſels. Manning being detected and puniſhed with death, he corrupted Sir Richard Willis, who was much truſted by chancellor Hyde and all the royaliſts; and by means of this man he was let into every deſign and conſpiracy of the party. He could

twixt them. "Let the waiting upon Jehovah," ſaid that military ſaint, "be the great-
"eſt and moſt conſiderable buſineſs you have every day: Reckon it ſo, more than to
eat, ſleep, and council together. Run aſide ſometimes from your company, and get a
word with the Lord. Why ſhould not you have three or four precious ſouls always
"ſtanding at your elbow, with whom you might now and then turn into a corner;
"I have found refreſhment and mercy in ſuch a way." Milton's State Papers p. 18

disconcert any project, by confining the persons who were to be the actors in it; and as he restored them afterwards to liberty, his severity passed only for the result of general jealousy and suspicion. The secret source of his intelligence remained still unknown and unsuspected.

CONSPIRACIES for an assassination he was chiefly afraid of; these being designs which no prudence or vigilance could evade. Colonel Titus, under the name of Allen, had written a spirited discourse, exhorting every one, to embrace this method of vengeance; and Cromwel knew, that the inflamed minds of the royal party were sufficiently disposed to put the doctrine in practice against him. He openly told them, that assassinations were base and odious, and he never would commence hostilities by so shameful an expedient; but if the first attempt or provocation came from them, he would retaliate to the uttermost. He had instruments, he said, whom he could employ, and he never would desist, till he had totally exterminated the royal family. This menace, more than all his guards contributed to the security of his person [a].

THERE was no point about which the protector was more solicitous than to procure intelligence. This article alone, it is said, cost him sixty thousand pounds a year. Postmasters, both at home and abroad, were in his pay, carriers were searched or bribed. Secretaries and clerks were corrupted: The greatest zealots in all parties were often those who conveyed private information to him: And nothing could escape his vigilant enquiry. Such at least is the representation made by historians of Cromwel's administration: But it must be confessed, that if we may judge by those volumes of Thurloe's papers, which have bee lately published, this affair, like many others, has been greatly magnified. We scarcely find by that collection, that any secret counsels of foreign state, except those of Holland, which are not to be expected to be concealed, were known to the protector.

THE general behaviour and deportment of this man, who had been raised from a very private station, who had passed most o his youth in the country, and who was still constrained so much to frequent bad company, was such as might befit the greatest monarch. He maintained a dignity without either affectation or ostentation; and supported with all strangers that high idea with which his great exploits and prodigious fortune had impressed them. Among his ancient friends he could relax himself; and by trifling and amusement, jesting and making verses, he feared not exposing himself to their most familiar approaches [a]. With others, he sometimes went to the length of rustic buffoonery; and he would amuse himself by putting burning coals into the boots and hose of the officers who attended him [b]. Before the king's trial, a meeting was agreed on between the chiefs o,

[a] See note [88] at the end of the volume. [a] Whitlocke, p. 647. [b] Bates.

the republican party and the general officers, in order to concert the model of that free government which they were to ſubſtitute in the room of the monarchical conſtitution, now totally ſubverted. After debates on this ſubject, the moſt important that could fall under the diſcuſſion of human creatures, Ludlow tells us, that Cromwel, by way of frolic, threw a cuſhion at his head; and when Ludlow took up another cuſhion in order to return the compliment, the general ran down ſtairs, and had almoſt fallen in the hurry. When the high court of juſtice was ſigning the warrant for the execution of the king, a matter, if poſſible, ſtill more ſerious, Cromwel, taking the pen in his hand before he ſubſcribed his name, bedaubed with ink the face of Martin, who ſat next him. And the pen being delivered to Martin, he practiſed the ſame frolic upon Cromwel [c]. He frequently gave feaſts to his inferior officers; and when the meat was ſet upon the table, a ſignal was given; the ſoldiers ruſhed in upon them: and with much noiſe, tumult, and confuſion, ran away with all the diſhes, and diſappointed the gueſts of their expected meal.

THAT vein of frolic and pleaſantry which made a part, however inconſiſtent, of Cromwel's character, was apt ſometimes to betray him into other inconſiſtencies, and to diſcover itſelf even where religion might ſeem to be little concerned. It is a tradition, that, one day, ſitting at table, the protector had a bottle of wine brought him, of a kind which he valued ſo highly, that he muſt needs open the bottle himſelf: But in attempting it, the cork-ſcrew dropt from his hand. Immediately his courtiers and generals flung themſelves on the floor to recover it. Cromwel burſt out a laughing. *Should any fool*, ſaid he, *put in his head at the door he would fancy from your poſture, that you were ſeeking the lord; and you are only ſeeking a cork ſcrew.*

AMIDST all the unguarded play and buffoonery of this ſingular perſonage, he took the opportunity of remarking the characters, deſigns, and weakneſſes of men; and he would ſometimes puſh them, by an indulgence in wine, to open to him the moſt ſecret receſſes of their boſom. Great regularity, however, and even auſterity of manners, were always maintained in his court; and he was careful never by any liberties to give offence to the moſt rigid of the godly. Some ſtate was upheld; but with little expence, and without any ſplendour. The nobility, though courted by him, kept at a diſtance, and diſdained to intermix with thoſe mean perſons who were the inſtruments of his government. Without departing from œconomy, he was generous to thoſe who ſerved him; and he knew how to find out and engage in his intereſts every man poſſeſſed of thoſe talents which any particular employment demanded. His generals, his admirals his judges, his ambaſſadors, were perſons who contributed, all of them, in

[c] Trial of the Regicides. [d] Bates

their ſeveral ſpheres, to the ſecurity of the protector, and to the honour and intereſt of the nation.

UNDER pretence of uniting Scotland and Ireland in one commonwealth with England, Cromwel had reduced thoſe kingdoms to a total ſubjection; and he treated them entirely as conquered provinces. The civil adminiſtration of Scotland was placed in a council conſiſting moſtly of Engliſh, of which Lord Broghil was preſident. Juſtice was adminiſtered by ſeven judges, four of whom were Engliſh. In order to curb the tyrannical nobility, he both aboliſhed all vaſſalage [e], and revived the office of juſtice of peace, which king James had introduced, but was not able to ſupport [f]. A long line of forts and garriſons was maintained throughout the kingdom. An army of 10,000 men [g] kept every thing in peace and obedience; and neither the banditti of the mountains, nor the bigots of the low countries, could indulge their inclination to turbulence and diſorder. He courted the preſbyterian clergy; though he nouriſhed that inteſtine enmity which prevailed between the reſolutioners and proteſters; and he found that very little policy was requiſite to foment quarrels among theologians. He permitted no church aſſemblies; being ſenſible that from thence had proceeded many of the paſt diſorders. And, in the main, the Scots were obliged to acknowledge, that never before, while they enjoyed their irregular, factious liberty, had they attained ſo much happineſs as at preſent, when reduced to ſubjection under a foreign nation.

THE protector's adminiſtration of Ireland was more ſevere and violent. The government of that iſland was firſt entruſted to Fleetwood, a notorious fanatic, who had married Ireton's widow; then to Henry Cromwel, ſecond ſon of the protector, a young man of an amiable, mild diſpoſition, and not deſtitute of vigour and capacity. About five millions of acres, forfeited either by the popiſh rebels or by the adherents of the king, were divided, partly among the adventurers, who had advanced money to the parliament, partly among the Engliſh ſoldiers, who had arrears due to them. Examples of a more ſudden and violent change of property are ſcarcely to be found in any hiſtory. An order was even iſſued to confine all the native Iriſh to the province of Connaught, where they would be ſhut up by rivers, lakes, and mountains: and could not, it was hoped, be any longer dangerous to the Engliſh government: But this barbarous and abſurd policy, which, from an impatience of attaining immediate ſecurity, muſt have depopulated all the other provinces, and rendered the Engliſh eſtates of no value, was ſoon abandoned as impracticable.

1656. New parliament.

CROMWEL began to hope, that, by his adminiſtration attended with ſo much luſtre and ſucceſs abroad, ſo much order and tranquillity at home, he had now acquired ſuch authority

[e] Whitlocke, p. 570. [f] Thurloe, vol. iv. p. 57. [g] Ibid, vol. vi. p. 577.

as would enable him to meet the repreſentatives of the nation, and would aſſure him of their dutiful compliance with his government. He ſummoned a parliament; but not truſting altogether to the good-will of the people, he uſed every art which his new model of repreſentation allowed him to employ, in order to influence the elections, and fill the houſe with his own creatures. Ireland, being entirely in the hands of the army, choſe few but ſuch officers as were moſt acceptable to him. Scotland ſhowed a like compliance; and as the nobility and gentry of that kingdom regarded their attendance on Engliſh parliaments as an ignominious badge of ſlavery, it was on that account, more eaſy for the officers to prevail in their elections. Notwithſtanding all theſe precautions, the protector ſtill found that the majority would not be favourable to him. He ſet guards, therefore, on the door, who permitted none to enter but ſuch as produced a warrant from his council; and the council rejected about a hundred, who either refuſed a recognition of the protector's government, or were on other accounts obnoxious to him. Theſe proteſted againſt ſo egregious a violence, ſubverſive of all liberty; but every application for redreſs was neglected both by the council and the parliament. 17th of September.

THE majority of the parliament, by means of theſe arts and violences, was now at laſt friendly to the protector, or reſolved, by their compliance, to adjuſt, if poſſible, this military government to their laws and liberties. They voted a renunciation of all title in Charles Stuart, or any of his family; and this was the firſt act, dignified with the appearance of national conſent, which had ever had that tendency. Colonel Jephſon, in order to ſound the inclinations of the houſe, ventured to move, that the parliament ſhould beſtow the crown on Cromwel; and no ſurprize or reluctance was diſcovered on this occaſion. When Cromwel afterwards aſked Jephſon what induced him to make ſuch a motion, "As long," ſaid Jephſon, "as I "have the honour to ſit in parliament, I muſt follow the dictates of my "own conſcience, whatever offence I may be ſo unfortunate as to give "you." "Get thee gone," ſaid Cromwel, giving him a gentle blow on the ſhoulder, "get thee gone, for a mad fellow as thou art."

In order to pave the way to this advancement, for which he ſo ardently longed, Cromwel reſolved to ſacrifice his major-generals, whom he knew to be extremely odious to the nation. That meaſure was alſo become neceſſary for his own ſecurity. All government, purely military, fluctuates perpetually between a deſpotic monarchy and a deſpotic ariſtocracy, according as the authority of the chief commander prevails, or that of the officers next him in rank and dignity. The major-generals, being poſſeſſed of ſo much diſtinct juriſdiction, began to eſtabliſh a ſeparate title to power, and had rendered themſelves formidable to the protector himſelf;

and for this inconvenience, though he had not foreſeen it, he well knew, before it was too late, to provide a proper remedy. Claypole, his ſon in law, who poſſeſſed his confidence, abandoned them to the pleaſure of the houſe; and though the name was ſtill retained, it was agreed to abridge, or rather entirely annihilate, the power of the major-generals.

AT length a motion in form was made by alderman Pack, one of the city members, for inveſting the protector with the dignity of King. This motion, at firſt, excited great diſorder, and divided the whole houſe into parties. The chief oppoſition came from the uſual adherents of the protector, the major-generals, and ſuch officers as depended on them. Lambert, a man of deep intrigue, and of great intereſt in the army, had long entertained the ambition of ſucceeding Cromwel in the protectorſhip; and he foreſaw, that, if the monarchy were reſtored, hereditary right would alſo be eſtabliſhed, and the crown be tranſmitted to the poſterity of the prince firſt elected. He pleaded, therefore, conſcience; and rouzing all thoſe civil and religious jealouſies againſt kingly government, which had been ſo induſtriouſly encouraged among the ſoldiers, and which ſerved them as a pretence for ſo many violences he raiſed a numerous, and ſtill more formidable party againſt the motion.

On the other hand, the motion was ſupported by every one who was more particularly devoted to the protector, and who hoped, by ſo acceptable a meaſure, to pay court to the prevailing authority. Many perſons alſo, attached to their country, deſpaired of ever being able to ſubvert the preſent illegal eſtabliſhment; and were deſirous, by fixing it on ancient foundations, to induce the protector, from views of his own ſafety, to pay a regard to the ancient laws and liberties of the kingdom. Even the royaliſts; imprudently joined in the meaſure; and hoped, that, when the queſtion regarded only perſons, not forms of government, no one would any longer balance between the ancient royal family and an ignoble uſurper, who, by blood, treaſon, and perfidy, had made his way to the throne. The bill was voted by a conſiderable majority; and a committee was appointed to reaſon with the protector, and to overcome thoſe ſcruples which he pretended againſt accepting ſo liberal an offer.

1657. Crown offered to Cromwel.

The conference laſted for ſeveral days. The committee urged, that all the ſtatutes and cuſtoms of England were founded on the ſuppoſition of regal authority, and could not, without extreme violence, be adjuſted to any other form of government: That a protector, except during the minority of a king, was a name utterly unknown to the laws; and no man was acquainted with the extent or limits of his authority: That if it were attempted to define every part of his juriſdiction, many years, if not ages, would be required for the execution

9th April.

of so complicated a work; if the whole power of the king were at once transferred to him, the question was plainly about a name, and the preference was undisputably due to the ancient title: That the English constitution was more anxious concerning the form of government than concerning the birthright of the first magistrate, and had provided, by an express law of Henry VII. for the security of those who act in defence of the king in being, by whatever means he might have acquired possession: That it was extremely the interest of all his Highness's friends to seek the shelter of this statute; and even the people in general were desirous of such a settlement, and in all juries, were with great difficulty induced to give their verdict in favour of a protector: That the great source of all the late commotions had been the jealousy of liberty; and that a republic, together with a protector, had been established in order to provide farther securities for the freedom of the constitution; but that by experience the remedy had been found insufficient, even dangerous and pernicious; since every undeterminate power, such as that of a protector, must be arbitrary; and the more arbitrary, as it was contrary to the genius and inclination of the people.

THE difficulty consisted not in persuading Cromwel. He was sufficiently convinced of the solidity of these reasons; and his inclination, as well as judgement, was entirely on the side of the committee. But how to bring over the soldiers to the same way of thinking, was the question. The office of king had been painted to them in such horrible colours, that there were no hopes of reconciling them suddenly to it, even though bestowed upon their general, to whom they were so much devoted. A contradiction, open and direct, to all past professions, would make them pass, in the eyes of the whole nation, for the most shameless hypocrites, inlisted, by no other than mercenary motives, in the cause of the most perfidious traitor. Principles, such as they were, had been encouraged in them by every consideration, human and divine; and though it was easy where interest concurred, to deceive them by the thinnest disguises, it might be found dangerous at once to pull off the masque, and to show them in a full light the whole crime and deformity of their conduct. Suspended between these fears and his own most ardent desires, Cromwel protracted the time, and seemed still to oppose the reasonings of the committee; in hopes that by artifice he might be able to reconcile the refractory minds of the soldiers to his new dignity.

WHILE the protector argued so much in contradiction both to his judgement and inclination, it is no wonder that his elocution, always confused, embarrassed, and unintelligible, should be involved in tenfold darkness, and discover no glimmering of common sense or reason. An exact account of this conference remains, and may be regarded as a great curio-

fity. The members of the committee, in their reaſonings, diſcover judgement, knowledge, elocution: Lord Broghill, in particular, exerts himſelf on this memorable occaſion. But what a contraſt, when we paſs to the protector's replies! After ſo ſingular a manner does Nature diſtribute her talents, that, in a nation abounding with ſenſe and learning, a man who, by ſuperior perſonal merit alone, had made his way to ſupreme dignity, and had even obliged the parliament to make him a tender of the crown, was yet incapable of expreſſing himſelf on this occaſion, but in a manner which a peaſant of the moſt ordinary capacity would juſtly be aſhamed of [h].

THE oppoſition, which Cromwel dreaded, was not that which came from Lambert and his adherents, whom he now regarded as capital enemies, and whom he was reſolved, on the firſt occaſion, to deprive of all power and authority: It was that which he met with in his own family, and from men, who, by intereſt as well as inclination, were the moſt devoted to him. Fleetwood had married his daughter: Deſborow his ſiſter; yet theſe men, actuated by principle alone, could, by no perſuaſion, artifice or intreaty, be induced to conſent that their friend and patron ſhould be

h We ſhall produce any paſſage at random: For his diſcourſe is all of a piece. "I "confeſs, for it behoves me to deal plainly with you, I muſt confeſs, I would ſay, I "hope, I may be underſtood, in this, for indeed I muſt be tender what I ſay to ſuch an "audience as this; I ſay, I would be underſtood, that in this argument I do not make "parallel betwixt men of a different mind, and a parliament, which ſhall have their "deſires. I know there is no compariſon, nor can it be urged upon me, that my words "have the leaſt colour that way, becauſe the parliament ſeems to give liberty to me "to ſay any thing to you; as that, that is a tender of my humble reaſons and judge"ment and opinion to them; and if I think they are ſuch, and will be ſuch to them, "and are faithful ſervants, and will be ſo to the ſupreme authority, and the legiſlative "whereſoever it is; If, I ſay, I ſhould not tell you, knowing their minds to be ſo, I "ſhould not be faithful, If I ſhould not tell you ſo, to the end you may report it to "the parliament: I ſhall ſay ſomething for myſelf, for my own mind, I do profeſs it, "I am not a man ſcrupulous about words or names of ſuch things I have not: But as "I have the word of God, and I hope I ſhall ever have it, for the rule of my conſcience, "for my informations; ſo truly men that have been led in dark paths, through the "providence and diſpenſation of God, why ſurely it is not to be objected to a man; "for who can love to walk in the dark? But providence does ſo diſpoſe. And though "a man may impute his own folly and blindneſs to providence ſinfully, yet it muſt be "at my peril: the caſe may be that it is the providence of God that doth lead men "in darkneſs: I muſt needs ſay, that I have had a great deal of experience of providence, "and though it is no rule without or againſt the word, yet it is a very good expoſitor of "the word in many caſes." *Conference at Whitehall.* The great defect in Oliver's ſpeeches conſiſts not in his want of elocution, but in his want of ideas. The ſagacity of his actions, and the abſurdity of his diſcourſe, form the moſt prodigious contraſt that ever was known. The collection of all his ſpeeches, letters, ſermons (for he alſo wrote ſermons), would make a great curioſity, and, with a few exceptions, might juſtly paſs for one of the moſt nonſenſical books in the world.

invested with regal dignity. They told him, that if he accepted of the crown, they would instantly throw up their commissions, and never after have it in their power to serve him [1]. Colonel Pride procured a petition against the office of king, signed by a majority of the officers, who were in London and the neighbourhood. Several persons, it is said, had entered into an engagement to murder the protector within a few hours after he should have accepted the offer of the parliament. Some sudden mutiny in the army was justly dreaded. And upon the whole, Cromwel, after the agony and perplexity of long doubt, was at last obliged to refuse that crown, which the representatives of the nation, in the most solemn manner, had tendered to him. Most historians are inclined to blame his choice; but he must be allowed the best judge of his own situation. And in such complicated subjects, the alteration of a very minute circumstance, unknown to the spectator, will often be sufficient to cast the balance, and render a determination, which, in itself, may be ineligible, very prudent, or even absolutely necessary to the actor.

1657. He rejects it.

A DREAM or prophecy, lord Clarendon mentions, which he affirms (and he must have known the truth), was universally talked of almost from the beginning of the civil wars, and long before Cromwel was so considerable a person as to bestow upon it any degree of probability. In this prophecy it was foretold, that Cromwel should be the greatest man in England, and would nearly, but never would fully mount the throne. Such a prepossession probably arose from the heated imagination either of himself or his followers; and as it might be one cause of the great progress which he had already made, it is not an unlikely reason which may be assigned for his refusing at this time any farther elevation.

THE parliament, when the regal dignity was rejected by Cromwel, found themselves obliged to retain the name of a commonwealth and protector; and as the government was hitherto a manifest usurpation, it was thought proper to sanctify it by a seeming choice of the people and their representatives. Instead of the *instrument of government*, which was the work of the general officers alone, *humble petition and advice* was framed, and offered to the protector by the parliament. This was represented as the great basis of the republican establishment, regulating and limiting the powers of each member of the constitution, and securing the liberty of the people to the most remote posterity. By this deed the authority of protector was in some particulars enlarged: In others, it was considerably diminished. He had the power of nominating his successor; he had a perpetual revenue assigned him, a million a year for the pay of the fleet and army, three hundred thousand pounds for the support of civil government; and he had authority to

Humble petition and advice.

[1] Thurloe, vol. vi. p. 261.

name another houſe, who ſhould enjoy their ſeats during life, and exerciſe ſome functions of the former houſe of peers. But he abandoned the power aſſumed in the intervals of parliament, of framing laws with the conſent of his council; and he agreed, that no members of either houſe ſhould be excluded but by the conſent of that houſe, of which they were members. The other articles were in the main the ſame as in the inſtrument of government. The inſtrument of government Cromwel had formerly extolled as the moſt perfect work of human invention: He now repreſented it as a rotten plank, upon which no man could truſt himſelf without ſinking. Even the humble petition and advice, which he extolled in its turn, appeared ſo lame and imperfect, that it was found requiſite, this very ſeſſion, to mend it by a ſupplement; and after all, it may be regarded as a crude and undigeſted model of government. It was, however, accepted for the voluntary deed of the whole in the three united nations; and Cromwel, as if his power had juſt commenced from this popular conſent, was anew inaugurated in Weſtminſter Hall, after the moſt ſolemn and moſt pompous manner.

1657. 26th June. THE parliament having adjourned itſelf, the protector deprived Lambert of all his commiſſions; but ſtill allowed him a conſiderable penſion of 2000 pounds a year, as a bribe for his future peaceable deportment. Lambert's authority in the army, to the ſurpriſe of every body, was found immediately to expire with the loſs of his commiſſion. Packer and ſome other officers, whom Cromwel ſuſpected, were alſo diſplaced.

RICHARD, eldeſt ſon of the protector, was brought to court, introduced into public buſineſs, and thenceforth regarded by many as his heir in the protectorſhip: though Cromwel ſometimes employed the groſs artifice of flattering others with hopes of the ſucceſſion. Richard was a perſon poſſeſſed of the moſt peacable, inoffenſive, unambitious character; and had hitherto lived contentedly in the country on a ſmall eſtate which his wife had brought him. All the activity which he diſcovered, and which never was great, was however exerted to beneficent purpoſes: At the time of the king's trial, he had fallen on his knees before his father, and had conjured him, by every tye of duty and humanity, to ſpare the life of that monarch. Cromwel had two daughters unmarried: One of them he now gave in marriage to the grandſon and heir of his great friend the earl of Warwic, with whom he had, in every fortune, preſerved an uninterrupted intimacy and good correſpondence. The other he married to the viſcount Fauconberg, of a family formerly devoted to the royal party. He was ambitious of forming connexions with the nobility; and it was one chief motive for his deſiring the title of king, that he might replace every thing in its natural order, and reſtore, to the ancient families, the truſt and honour, of which he now found himſelf obliged, for his own ſafety to deprive them.

THE parliament was again aſſembled; conſiſting, as in times of monarchy, of two houſes, the commons and the other houſe. Cromwel, during

the interval, had ſent writs to his houſe of peers, which conſiſted of ſixty members. They were compoſed of five or ſix ancient peers, of ſeveral gentlemen of fortune and diſtinction, and of ſome officers who had riſen from the meaneſt ſtations. None of the ancient peers, however, though ſummoned by writ, would deign to accept of a ſeat, which they muſt ſhare with ſuch companions as were aſſigned them. The protector endeavoured at firſt to maintain the appearance of a legal magiſtrate. He placed no guard at the door of either houſe: But ſoon found how incompatible liberty is with military uſurpations. By bringing ſo great a number of his friends and adherents into the other houſe he had loſt the majority among the national repreſentatives. In conſequence of a clauſe in the humble petition and advice, the commons aſſumed a power of re-admitting thoſe members, whom the council had formerly excluded. Sir Arthur Hazelrig and ſome others, whom Cromwel had created lords rather choſe to take their ſeat with the commons. An inconteſtible majority now declared themſelves, againſt the protector; and they refuſed to acknowledge the juriſdiction of that other houſe, which he had eſtabliſhed. Even the validity of the humble petition and advice was queſtioned; as being voted by a parliament, which lay under force and which was deprived, by military violence, of a conſiderable number of its members. The protector, dreading combinations between the parliament and the malcontents the army, reſolved to allow no leiſure for forming any conſpiracy againſt him; and with expreſſions of great diſpleaſure, he diſ- 1658. 4th Feb. ſolved the parliament. When urged by Fleetwood and others of his friends, not to precipitate himſelf into this raſh meaſure, he ſwore by the living God, that they ſhould not ſit a moment longer.

THESE diſtractions at home were not able to take off the protector's attention from foreign affairs; and in all his meaſures he proceeded with the ſame vigour and enterprize, as if ſecure of the duty and attachment of the three kingdoms. His alliance with Sweden he ſtill ſupported; and he endeavoured to aſſiſt that crown in its ſucceſsful enterprizes, for reducing all its neighbours to ſubjection, and rendering itſelf abſolute maſter of the Baltic. As ſoon as Spain declared war againſt him, he concluded a peace and an alliance with France, and united himſelf in all his councils with that potent and ambitious kingdom. Spain, having long courted in vain the friendſhip of the ſucceſsful uſuper, was reduced at laſt to apply to the unfortunate prince. Charles formed a league with Philip, removed his ſmall court to Bruges in the Low Countries, and raiſed four regiments of his own ſubjects, whom he employed in the Spaniſh ſervice. The duke of York, who had, with applauſe, ſerved ſome campaigns in the French army, and who had merited the particular eſteem of marſhal Turenne, now joined his brother, and continued to ſeek military experience under Don John of Auſtria, and the prince of Condé.

THE ſcheme of foreign politics, adopted by the protector, was highly imprudent, but was ſuitable to that magnanimity and enterprize, with which he was ſo ſignally endowed. He was particularly deſirous of conqueſt and dominion on the continent [k]; and he ſent over into Flanders ſix thouſand men under Reynolds, who joined the French army commanded by Turenne. In the former campaign, Mardyke was taken, and put into the hands of the Engliſh. Early this campaign, ſiege was laid to Dunkirk; and when the Spaniſh army advanced to relieve it, the combined armies of France and England marched out of their trenches, and fought the battle of the Dunes, where the Spaniards were totally defeated [l].

1658. Dunkirk Taken. The valour of the Engliſh was much remarked on this occaſion. Dunkirk, being ſoon after ſurrendered, was by agreement delivered to Cromwel. He committed the government of that important place to Lockhart, a Scotchman of abilities, who had married his niece, and was his ambaſſador at the court of France.

THIS acquiſition was regarded by the protector as the means only of obtaining farther advantages. He was reſolved to concert meaſures with the French court for the final conqueſt and partition of the Low Countries [m]. Had he lived much longer, and maintained his authority in England, ſo chimerical, or rather ſo dangerous a project would certainly have been carried into execution. And this firſt and principal ſtep towards more extenſive conqueſt, which France, during a whole century, has never yet been able, by an infinite expence of blood and treaſure, fully to attain, had at once been accompliſhed by the enterprizing, though unſkilful politics of Cromwel.

DURING theſe tranſactions, great demonſtrations of mutual friendſhip and regard paſſed between the French king and the protector. Lord Fauconberg, Cromwel's ſon-in-law, was diſpatched to Louis, then in the

[k] He aſpired to get poſſeſſion of Elſinore and the paſſage of the ſound. See *World's Miſtake in Oliver Cromwel.* He alſo endeavoured to get poſſeſſion of Bremen. Thurloe, vol. vi. p. 478.

[l] It was remarked by the ſaints of that time, that the battle was fought on a day which was held for a faſt in London, ſo that as Fleetwood ſaid, (Thurloe, vol. vii p. 359.), while we were praying, they were fighting; and the lord hath given a ſignal anſwer. The Lord has not only owned us in our work there, but in our waiting upon him in a way of prayer, which is indeed our old experienced approved way in all ſtreights and difficulties. Cromwel's letter to Blake and Montague, his brave admirals, is remarkable for the ſame ſpirit. Thurloe, vol. iv. p. 744. You have, ſays he, as I verily believe and am perſuaded, a plentiful ſtock of prayers going for you daily, ſent up by the ſobereſt and moſt approved miniſters and Chriſtians in this nation, and notwithſtanding ſome diſcouragement, very much wreſtling of faith for you, which are to us, and I truſt, will be to you, matter of great encouragement. But notwithſtanding all this, it will be good for you and us to deliver up ourſelves and all our affairs to the diſpoſition of our all-wiſe Father, who not only out of prerogative, but becauſe of his goodneſs, wiſdom and truth, ought to be reſigned unto by his creatures, eſpecially thoſe who are children of his begetting through the ſpirit, &c.

[m] Thurloe, vol. p. 762.

camp before Dunkirk; and was received with the regard usually payed to foreign princes by the French court [n]. Mazarine sent to London his nephew Mancini, along with the duke of Crequi; and expressed his regret, that his urgent affairs should deprive him of the honour, which he had long wished for, of paying, in person, his respects to the greatest man in the world [o].

THE protector reaped little satisfaction from the success of his arms abroad: The situation in which he stood at home, kept him in perpetual uneasiness and inquietude. His administration, so expensive both by military enterprizes and secret intelligence, had exhausted his revenue, and involved him in a considerable debt. The royalists, he heard, had renewed their conspiracies for a general insurrection; and Ormond was secretly come over with a view of concerting measures for the execution of this project. Lord Fairfax, Sir William Waller, and many heads of the presbyterians, had secretly entered into the engagement. Even the army was infected with the general spirit of discontent; and some sudden and dangerous eruption was every moment to be dreaded from it. No hopes remained, after his violent breach with the last parliament, that he should ever be able to establish, with general consent, a legal settlement, or temper the military with any mixture of civil authority. All his arts and policy were exhausted; and having so often, by fraud and false pretences, deceived every party, and almost every individual, he could no longer hope, by repeating the same professions, to meet with equal confidence and regard.

HOWEVER zealous the royalists, their conspiracy took not effect: Willis discovered the whole to the protector. Ormond was obliged to fly, and be deemed himself fortunate to have escaped so vigilant an administration. Great numbers were thrown into prison. A high court of justice was anew erected for the trial of those criminals, whose guilt was most apparent. Notwithstanding the recognition of his authority by the last parliament, the protector could not, as yet, trust to an unbiassed jury. Sir Henry Slingsby, and Dr. Huet, were condemned and beheaded. Mordaunt, brother to the earl of Peterborow, narrowly escaped. The numbers for his condemnation and his acquittal were equal; and just as the sentence was pronounced in his favour, colonel Pride, who was resolved to condemn him, came into court. Ashton, Storey, and Bestley were hanged in different streets of the city.

THE conspiracy of the Millenarians in the army struck Cromwel with still greater apprehensions. Harrison and the other discarded officers of that party could not remain at rest. Stimulated equally by revenge, by

[n] Ibid. vol. vii. p. 151, 158.

[o] In reality the cardinal had not entertained so high an idea of Cromwel. He used to say, that he was a fortunate madman. Vie de Cromwel par Raguenet. See also Carte's Collection, vol ii. p. 81. Gamble's Life of Monk, p. 93. World's Mistake in O. Cromwel.

ambition, and by conſcience, they ſtill harboured in their breaſt ſome deſperate project; and there wanted not officers in the army, who, from like motives, were diſpoſed to ſecond all their undertakings. The levellers and agitators had been encouraged by Cromwel to interpoſe with their advice in all political deliberations; and he had even pretended to honour many of them with his intimate friendſhip, while he conducted his daring enterprizes againſt the king and the parliament. It was a uſual practice with him in order to familiarize himſelf the more with the agitators who were commonly corporals or ſerjeants, to take them to bed with him, and there, after prayers and exhortations, to diſcuſs together their projects and principles, political, as well as religious. Having aſſumed the dignity of protector, he excluded them from all his councils, and had neither leiſure nor inclination to indulge them any farther in their wonted familiarities. Among thoſe who were enrarged at this treatment was Sexby; an active agitator, who now employed againſt him all that reſtleſs induſtry, which had formerly been exerted in his favour. He even went ſo far as to enter into a correſpondence with Spain; and Cromwel, who knew the diſtempers of the army, was juſtly afraid of ſome mutiny, to which a day, an hour, an inſtant, might provide leaders.

OF aſſaſſinations likewiſe he was apprehenſive, from the zealous ſpirit which actuated the ſoldiers. Sindercome had undertaken to murder him; and, by the moſt unaccountable accidents, had often been prevented from executing his bloody purpoſe. His deſign was diſcovered; but the protector could never find the bottom of the enterprize, nor detect any of his accomplices. He was tried by a jury; and notwithſtanding the general odium attending that crime, notwithſtanding the clear and full proof of his guilt, ſo little conviction prevailed of the protector's right to the ſupreme government, it was with the utmoſt difficulty [P] that this conſpirator was condemned. When every thing was prepared for his execution, he was found dead; from poiſon, as is ſuppoſed, which he had voluntarily taken.

THE protector might better have ſupported thoſe fears and apprehenſions which the public diſtempers occaſioned, had he enjoyed any domeſtic ſatisfaction, or poſſeſſed any cordial friend of his own family, in whoſe boſom he could ſafely have unloaded his anxious and corroding cares. But Fleetwood, his ſon-in-law, actuated by the wildeſt zeal, began to eſtrange himſelf from him; and was enraged to diſcover that Cromwel, in all his enterprizes, had entertained views of promoting his own grandeur, more than of encouraging piety and religion, of which he made ſuch fervent profeſſions. His eldeſt daughter, married to Fleetwood, had adopted republican principles ſo vehement, that ſhe could not with patience behold

[P] Thurloe, vol. vi. p. 53.

power lodged in a ſingle perſon, even in her indulgent father. His other daughters were no leſs prejudiced in favour of the royal cauſe, and regretted the violences and iniquities into which they thought their family had ſo unhappily been tranſported. Above all, the ſickneſs of Mrs. Claypole, his peculiar favourite, a lady endued with many humane virtues, and amiable accompliſhments, depreſſed his anxious mind, and poiſoned all his enjoyments. She had entertained a high regard for Dr. Huet, lately executed; and being refuſed his pardon, the melancholy of her temper, encreaſed by her diſtempered body, had prompted her to lament to her father all his ſanguinary meaſures, and urge him to compunction for thoſe heinous crimes into which his fatal ambition had betrayed him. Her death, which followed ſoon after, gave new edge to every word which ſhe had uttered.

ALL compoſure of mind was now for ever fled from the protector: He felt that the grandeur, which he had attained with ſo much guilt and courage, could not enſure him that tranquillity, which it belongs to virtue alone, and moderation fully to aſcertain. Overwhelmed with the load of public affairs, dreading perpetually ſome fatal accident in his diſtempered government, ſeeing nothing around him but treacherous friends or enraged enemies, poſſeſſing the confidence of no party, reſting his title on no principle, civil or religious, he found his power to depend on ſo delicate a poize of factions and intereſts, as the ſmalleſt event was able, without any preparation, in a moment to overturn. Death too, which, with ſuch ſignal intrepidity he had braved in the field, being inceſſantly threatened by the poinards of fanatical or intereſted aſſaſſins, was ever preſent to his terrified apprehenſion, and haunted him in every ſcene of buſineſs or repoſe. Each action of his life betrayed the terrors under which he laboured. The aſpect of ſtrangers was uneaſy to him: With a piercing and anxious eye he ſurveyed every face to which he was not daily accuſtomed. He never moved a ſtep without ſtrong guards attending him: He wore armour under his cloaths, and farther ſecured himſelf by offenſive weapons, a ſword, falchion, and piſtols, which he always carried about him. He returned from no place by the direct road, or by the ſame way which he went. Every journey he performed with hurry and precipitation. Seldom he ſlept above three nights together in the ſame chamber: And he never let it be known beforehand what chamber he intended to chooſe, nor entruſted himſelf in any which was not provided with back doors, at which ſentinels were carefully placed. Society terrified him, while he reflected on his numerous, unknown, and implacable enemies: Solitude aſtoniſhed him, by withdrawing that protection which he found ſo neceſſary for his ſecurity.

HIS body alſo, from the contagion of his anxious mind, began

1658. Sickneſs of the protector.

to be affected; and his health ſeemed ſenſibly to decline. He was ſeized with a ſlow fever, which changed into a tertian ague. For the ſpace of a week, no dangerous ſymptoms appeared; and in the intervals of the fits he was able to walk abroad. At length the fever encreaſed, and he himſelf began to entertain ſome thoughts of death, and to caſt his eye towards that future exiſtence, whoſe idea had once been intimately preſent to him; though ſince, in the hurry of affairs, and in the ſhock of wars and factions, it had, no doubt, been conſiderably obliterated. He aſked Goodwin, one of his preachers, if the doctrine were true, that the elect could never fall or ſuffer a final reprobation. "No-"thing more certain," replied the preacher. "Then am I ſafe," ſaid the "protector: "For I am ſure that once I was in a ſtate of grace."

HIS phyſicians were ſenſible of the perilous condition, to which his diſtemper had reduced him: But his chaplains, by their prayers, viſions, and revelations, ſo buoyed up his hopes, that he began to believe his life out of all danger. A favourable anſwer, it was pretended, had been returned by heaven to the petitions of all the godly; and he relied on their aſſeverations much more than on the opinion of the moſt experienced phyſicians. "I "tell you," he cried with confidence to the latter, "I tell you, I ſhall not "die of this diſtemper: I am well aſſured of my recovery. It is promiſed "by the Lord, not only to my ſupplications, but to thoſe of men who hold "a ſtricter commerce, and more intimate correſpondence with him. Ye "may have ſkill in your profeſſion; but nature can do more than all the "phyſicians in the world, and God is far above nature [q]." Nay, to ſuch a degree of madneſs did their enthuſiaſtic aſſurances mount, that, upon a faſt day, which was obſerved on his account, both at Hampton Court and at Whitehall, they did not ſo much pray for his health, as give thanks for the undoubted pledges which they had received of his recovery. He himſelf was overheard offering up his addreſſes to heaven; and ſo far had the illuſions of fanaticiſm prevailed over the plaineſt dictates of natural morality, that he aſſumed more the character of a mediator, in interceding for his people, than that of a criminal, whoſe atrocious violation of ſocial duty had from every tribunal, human and divine, merited the ſevereſt vengeance.

MEANWHILE all the ſymptoms began to wear a more fatal aſpect; and the phyſicians were obliged to break ſilence, and to declare that the protector could not ſurvive the next fit, with which he was threatened. The council was alarmed. A deputation was ſent to know his will with regard to his ſucceſſor. His ſenſes were gone, and he could not now expreſs his intentions. They aſked him whether he did not mean that his eldeſt ſon, Richard, ſhould ſucceed him in the protectorſhip. A ſimple affirmative was, or ſeemed to be extorted from him. Soon after, on the 3d of Septem-

[q] Bates: See alſo Thurloe, vol. vii. p. 355 416.

ber, that very which he had always considered as the most fortunate for him, he expired. A violent tempest, which immediately succeeded his death, served as a subject of discourse to the vulgar. His partizans, as well as his enemies, were fond of remarking this event; and each of them endeavoured, by forced inferences, to interpret it as a confirmation of their particular prejudices. 1658. His death.

THE writers, attached to the memory of this wonderful person, make his character, with regard to abilities, bear the air of the most extravagant panegyric: His enemies form such a representation of his moral qualities as resembles the most virulent invective. Both of them, it must be confessed, are supported by such striking circumstances in his conduct and fortune as bestow on their representation a great air of probability. "What can be more extraordinary," it is said[r], "than "that a person of private birth and education, no fortune, no eminent "qualities of body, which have sometimes, nor shining talents of mind, "which have often raised men to the highest dignities, should have the "courage to attempt, and the abilities to execute, so great a design as the "subverting one of the most ancient and best established monarchies in the "world? That he should have the power and boldness to put his prince "and master to an open and infamous death? Should banish that numer"ous and strongly allied family? Cover all these temerities under a seeming "obedience to a parliament, in whose service he pretended to be retained? "Trample too upon that parliament in their turn, and scornfully expel them "as soon as they gave him ground of dissatisfaction? Erect in their place "the dominion of the saints, and give reality to the most visionary idea, "which the heated imagination of any fanatic was ever able to entertain? "Suppress again that monster in its infancy, and openly set up himself a"bove all things that ever were called sovereign in England? Overcome "first all his enemies by arms, and all his friends afterwards by artifice? "Serve all parties patiently for a while, and command them victori"ously at last? Overrun each corner of the three nations, and subdue "with equal facility, both the riches of the south, and the poverty of "the north? Be feared and courted by all foreign princes, and be a"dopted a brother to the gods of the earth? Call together parliaments "with a word of his pen, and scatter them again with the breath of his "mouth? Reduce to subjection a warlike and discontented nation, by means "of a mutinous army? Command a mutinous army by means of seditious "and factious officers? Be humbly and daily petitioned, that he would be "pleased, at the rate of millions a year, to be hired as master of those who "had hired him before to be their servant? Have the estates and lives of "three nations as much at his disposal as was once the little inheritance of and character.

[r] Cowley's Discourses; This passage is altered in some particulars from the original.

" his father, and be as noble and liberal in the ſpending of them? And laſt-
" ly (for there is no end of enumerating every particular of his glory), with
" one word bequeath all this power and ſplendor to his poſterity? Die poſ-
" ſeſſed of peace at home, and triumph abroad? Be buried among kings,
" and with more than regal ſolemnity; and leave a name behind him not
" to be extinguiſhed but with the whole world; which as it was too little
" for his praiſe, ſo might it have been for his conqueſts, if the ſhort line of
" his mortal life could have ſtretched out the extent of his immortal de-
" ſigns?"

MY intention is not to diſfigure this picture, drawn by ſo maſterly a hand: I ſhall only endeavour to remove from it ſomewhat of the marvellous, a circumſtance which, on all occaſions, gives much ground for doubt and ſuſpicion. It ſeems to me, that the circumſtance of Cromwel's life, in which his abilities are principally diſcovered, is his riſing from a private ſtation, in oppoſition to ſo many rivals, ſo much advanced before him, to a high command and authority in the army. His great courage, his ſignal military talents, his eminent dexterity and addreſs, were all requiſite for this important acquiſition. Yet will not this promotion appear the effect of ſupernatural abilities, when we conſider, that Fairfax himſelf a private gentleman, who had not the advantage of a ſeat in parliament, had, through the ſame ſteps, attained even a ſuperior rank, and, if endued with common capacity and penetration, had been able to retain it. To incite ſuch an army to rebellion againſt the parliament, required no uncommon art or induſtry. To have kept them in obedience had been the more difficult enterprize. When the breach was once formed between the military and civil powers, a ſupreme and abſolute authority, from that moment, is devolved on the general; and if he be afterwards pleaſed to employ artifice or policy, it may be regarded, on moſt occaſions, as great condeſcenſion, if not as ſuperfluous caution. That Cromwel was ever able really to blind or overreach, either the king or the republicans, does not appear: As they poſſeſſed no means of reſiſting the force under his command, they were glad to temporize with him, and, by ſeeming to be deceived, wait for opportunities of freeing themſelves from his dominion. If he ſeduced the military fanatics, it is to be conſidered, that their intereſts and his evidently concurred, that their ignorance and low education expoſed them to the groſſeſt impoſition, and that he himſelf was at bottom as frantic an enthuſiaſt as the worſt of them, and, in order to obtain their confidence, needed but to diſplay thoſe vulgar and ridiculous habits, which he had early acquired, and on which he ſet ſo high a value. An army is ſo forcible, and at the ſame time ſo coarſe a weapon, that any hand, which wields it, may, without much dexterity, perform any operation, and attain any aſcendant, in human ſociety.

THE domeſtic adminiſtration of Cromwel, though it diſcovers great a-

bilities, was conducted without any plan either of liberty or arbitrary power: Perhaps, his difficult ſituation admitted of neither. His foreign enterprizes, though full of intrepidity, were pernicious to national intereſt, and ſeem more the reſult of impetuous fury or narrow prejudices, than of cool foreſight and deliberation. An eminent perſonage, however, he was in many reſpects, and even a ſuperior genius; but unequal and irregular in his operations. And though not defective in any talent, except that of elocution, the abilities, which in him were moſt admirable, and which moſt contributed to his marvellous ſucceſs, were the magnanimous reſolution of his enterprizes, and his peculiar dexterity in diſcovering the characters, and practiſing on the weakneſſes of mankind.

IF we ſurvey the moral character of Cromwel with that indulgence, which is due to the blindneſs and infirmities of the human ſpecies, we ſhall not be inclined to load his memory with ſuch violent reproaches as thoſe which his enemies uſually throw upon it. Amidſt the paſſions and prejudices of that period, that he ſhould prefer the parliamentary to the royal cauſe, will not appear extraordinary; ſince, even at preſent, ſome men of ſenſe and knowledge are diſpoſed to think, that the queſtion, with regard to the juſtice of the quarrel, may be regarded as doubtful and uncertain. The murder of the king, the moſt atrocious of all his actions, was to him covered under a mighty cloud of republican and fanatical illuſions; and it is not impoſſible, but he might believe it, as many others did, the moſt meritorious action that he could perform. His ſubſequent uſurpation was the effect of neceſſity, as well as of ambition; nor is it eaſy to ſee, how the various factions could at that time have been reſtrained, without a mixture of military and arbitrary authority. The private deportment of Cromwel, as a ſon, a huſband, a father, a friend, is expoſed to no conſiderable cenſure, if it does not rather merit praiſe. And, upon the whole, his character does not appear more extraordinary and unuſual by the mixture of ſo much abſurdity with ſo much penetration, than by his tempering ſuch violent ambition and ſuch enraged fanaticiſm with ſo much regard to juſtice and humanity.

CROMWEL was in the fifty-ninth year of his age when he died. He was of a robuſt frame of body, and of a manly, though not of an agreeable aſpect. He left only two ſons, Richard and Henry; and three daughters, one married to general Fleetwood, another to lord Fauconberg, a third to lord Rich. His father died when he was young. His mother lived till after he was protector; and contrary to her orders, he buried her with great pomp in Weſtminſter Abbey. She could not be perſuaded, that his power or perſon was ever in ſafety. At every noiſe, which ſhe heard, ſhe exclaimed, that her ſon was murdered; and was never ſatisfied that he was alive, if ſhe did not receive frequent viſits from him. She was a decent woman; and, by her frugality and induſtry, had raiſed and educated a nu-

merous family upon a ſmall fortune. She had even been obliged to ſet up a brewery at Huntingdon, which ſhe managed to good advantage. Hence Cromwel, in the invectives of that age, is often ſtigmatized with the name of the brewer. Ludlow, by way of inſult, mentions the great acceſſion, which he would receive to his royal revenues upon his mother's death, who poſſeſſed a jointure of ſixty pounds a year upon his eſtate. She was of a good family, of the name of Stuart; remotely allied, as is by ſome ſuppoſed, to the royal family.

NOTES

TO THE

FOURTH VOLUME.

NOTE [A], p. 12.

SIR Charles Cornwallis the king's ambaſſador at Madrid, when preſſed by the duke of Lerma to enter into a league with Spain, ſaid to that miniſter; *though his majeſty was an* abſolute *king, and therefore not bound to give an account to any, of his actions; yet that ſo gracious and regardful a prince he was of the love and contentment of his own ſubjects, as I aſſured myſelf he would not think it fit to do any thing of ſo great conſequence without acquainting them with his intentions.* Winwood, vol. ii. p. 222. Sir Walter Raleigh has this paſſage in the preface to his Hiſtory of the World. *Philip* II. *by ſtrong hand and main force, attempted to make himſelf not only an* abſolute monarch *over the Netherlands, like unto the kings and monarchs of England and France, but Turk like, to tread under his feet all their natural and fundamental laws, privileges and ancient rights.* We meet with this paſſage in Sir John Davis's queſtion concerning impoſitions, p. 161. "Thus we ſee by this compariſon, that "the king of England doth lay but his finger upon his ſubjects, when other princes and "ſtates do lay their heavy loins upon their people: What is the reaſon of this differ-"rence? From whence cometh it? aſſuredly not from a different power or preroga-"tive: For the king of England is as abſolute a monarch as any emperor or king in the "world, and hath as many prerogatives incident to his crown." Coke, in Cawdry's caſe, ſays, "That by the ancient laws of this realm, England is an *abſolute* empire and "monarchy; and that the king is furniſhed with plenary and entire power, preroga-"tive, and juriſdiction, and is ſupreme governor over all perſons within this realm." Spencer, ſpeaking of ſome grants of the Engliſh kings to the Iriſh corporations, ſays, "All which, though at the time of their firſt grant they were tolerable and perhaps rea-"ſonable, yet now are moſt unreaſonable, and inconvenient. But all theſe will eaſily be "cut off, with the ſuperior power of her majeſty's prerogative, againſt which her own "grants are not to be pleaded or enforced." State of Ireland, p. 1537. edit. 1706. The ſame author in p. 1660, propoſes a plan for the civilization of Ireland, that the queen ſhould create a provoſt marſhal in every county, who might ride about with eight or ten followers in ſearch of ſtragglers and vagabonds: The firſt time he catches any, he may puniſh them more lightly, by the ſtocks; the ſecond time, by whipping; but the third time, he may hang them, without trial or proceſs, on the firſt bough

And he thinks, that this authority may more afely be entruſted to the provoſt marſhal than to the ſheriff: becauſe the latter magiſtrate, having a profit by the eſcheats of felons, may be tempted to hang innocent perſons. Here a real abſolute, or rather deſpotic power is pointed out; and we may infer from all theſe paſſages, either that the word *abſolute* bore a different ſenſe from what it does at preſent, or that men's ideas of the Engliſh, as well as Iriſh government were then different. This latter inference ſeems juſter. The word being derived from the French, bore always the ſame ſenſe as in that language. An abſolute monarchy in Charles I.'s anſwer to the nineteen propoſitions is oppoſed to a limited: and the king of England is acknowledged not to be abſolute. So much had matters changed even before the civil war. In Sir John Forteſcue's treatiſe of abſolute and limited monarchy, a book written in the reign of Edward the IVth, the word *abſolute* is taken in the ſame ſenſe as at preſent; and the government of England is alſo ſaid not to be abſolute. They were the princes of the houſe of Tudor chiefly, who introduced that adminiſtration, which had the appearance of abſolute government. The princes before them were reſtrained by the barons, as thoſe after them by the houſe of commons. The people had, properly ſpeaking, little liberty in either of theſe ancient governments, but leaſt, in the more ancient.

NOTE [B], p. 13.

EVEN this parliament, which ſhewed ſo much ſpirit and good-ſenſe in the affair of Goodwin, made a ſtrange conceſſion to the crown, in their fourth ſeſſion. Toby Mathews, a member, had been baniſhed by order of the council upon direction from his majeſty. The parliament not only acquieſced in this arbitrary proceeding, but iſſued writs for a new election. Such novices were they, as yet in the principles of Liberty! See Journ. 14. Feb. 1609. Mathews was baniſhed by the king on account of his change of religion to popery. The king had an indulgence to thoſe who had been educated catholics; but could not bear the new converts. It was probably the animoſity of the commons againſt the papiſts, which made them acquieſce in this precedent without reflecting on the conſequences! The jealouſy of Liberty, though rouzed, was not yet thoroughly enlightened.

NOTE [C], p. 15.

AT that time men of genius and of enlarged minds had adopted the principles of liberty, which were, as yet pretty much unknown to the generality of the people. Sir Mathew Hales has publiſhed a remonſtrance againſt the king's conduct towards the parliament during this ſeſſion. The remonſtrance is drawn with great force of reaſoning and ſpirit of liberty, and was the production of Sir Francis Bacon and Sir Edwin Sandys, two men of the greateſt parts and knowledge in England. It is drawn in the name of the commons; but as there is no hint of it in the journals, we muſt conclude, either that the authors, ſenſible that the ſtrain of the piece was much beyond the principles of the age, had not ventured to preſent it to the houſe, or that it had been, for that reaſon, rejected. The dignity and authority of the commons are ſtrongly inſiſted upon in this remonſtrance, and it is there ſaid, that their ſubmiſſion to the ill treatment which they received during the latter part of Elizabeth's reign had proceeded from their tenderneſs towards her age and her ſex. But the authors are miſtaken in theſe facts: For the houſe received and ſubmitted to as bad treatment in the beginning and middle of that reign. The government was equally arbitrary in Mary's reign, in Edward's, in Harry the eighth and ſeventh's. And the farther we go back into hiſtory, though there might be more of a certain irregular kind of liberty among the barons, the commons were ſtill of leſs authority.

NOTE [D], p. 18.

THIS parliament paſſed an act of recognition of the king's title in the moſt ample terms. They recognized and acknowledged, that immediately upon the diſſolution and deceaſe of Elizabeth, late queen of England, the imperial crown thereof did, by inherent birthright and lawful and undoubted ſucceſſion, deſcend and come to his moſt excellent majeſty, as being lineally, juſtly, and lawfully next and ſole heir of the blood royal of this realm. 1. James I. cap. 1. The puritans, though then prevalent, did not think proper to diſpute this great conſtitutional point. In the recognition of Queen Elizabeth the parliament declares, that the queen's highneſs is, and in very deed and of moſt mere right ought to be, by the laws of God and by the laws and ſtatutes of this realm, our moſt lawful and rightful ſovereign, liege lady and queen, &c. It appears then that, if King James's *divine right* be not mentioned by parliament, the omiſſion came merely from chance, and becauſe that phraſe did not occur to the compiler of the recognition; his title being plainly the ſame with that of his predeceſſor, who was allowed to have a *divine* right.

NOTE [E], p. 23.

SOME hiſtorians have imagined, that the king had ſecret intelligence of the conſpiracy, and that the letter to Monteagle was written by his direction, in order to obtain the fame of penetration in diſcovering the plot. But the known facts refute this ſuppoſition. That letter, being commonly talked of, might naturally have given an alarm to the conſpirators, and made them contrive their eſcape. The viſit of the Lord chamberlain ought to have had the ſame effect. In ſhort, it appears, that no body was arreſted or enquired after, for ſome days, till Fawkes diſcovered the names of the conſpirators. We may infer, however, from a letter in Winwood's Memorials, vol. ii. p. 171, that Saliſbury's ſagacity led the king in his conjectures, and that the miniſter, like an artful courtier, gave his maſter the praiſe of the whole diſcovery.

NOTE [F], p. 36.

WE find the king's anſwer in Winwood's Memorials, vol. iii. p. 193. 2d edit. "To "the third and fourth (namely, that it might be lawful to arreſt the king's ſer-"vants without leave, and that no man ſhould be inforced to lend money, nor to give a "reaſon why he would not) his majeſty ſent us an anſwer, that becauſe we brought "precedents of antiquity to ſtrengthen thoſe demands, he allowed not of any precedents "drawn from the time of uſurping or decaying princes, or people too bold and wan-"ton; that he deſired not to govern in that commonwealth, where ſubjects ſhould be "aſſured of all things, and hope for nothing. It was one thing *submittere principatum* "*legibus*; and another thing *ſubmittere principatum ſubditis*. That he would not leave to "poſterity ſuch a mark of weakneſs upon his reign; and therefore his concluſion was "*non placet petitio, non placet exemplum*: Yet with this mitigation, that in matters of loans "he would refuſe no reaſonable excuſe, nor ſhould my lord chamberlain deny the ar-"reſting of any of his majeſty's ſervants, if juſt cauſe was ſhown." The parliament, however, acknowledged at this time with thankfulneſs to the king, that he allowed diſputes and inquiries about his prerogative, much beyond what had been indulged by any of his predeceſſors. *Parliament Hiſt.* vol. v. p. 230. This very ſeſſion, he expreſsly gave them leave to produce all their grievances, without exception.

NOTE [G], p. 39.

IT may not be unworthy of obſervation, that James, in a book called *The true laws of free Monarchies*, which he publiſhed a little before his acceſſion to the crown of England, affirmed, "That a good king, although he be above the law, will ſubject and

" frame his actions thereto, for example's ſake to his ſubjects, and of his own free-will, " but not as ſubject or bound thereto." In another paſſage, " According to the funda- " mental law already alledged, we daily ſee, that in the parliament (which is nothing elſe " but the head-court of the king and his vaſſals) the laws are but craved by his ſubjects, " and only made by him at their rogation, and with their advice. For lbeit the king " *make daily* ſtatutes and ordinances, enjoining ſuch pains thereto as he thinks meet; with- " out any advice of parliament or eſtates; yet it lies in the power of no parliament to " make any kind of law or ſtatute, without his ſceptre be to it, for giving it the force of " a law." *King James's Works*, p. 202. It is not to be ſuppoſed, that, at ſuch a critical juncture, James had ſo little ſenſe as, directly, in ſo material a point, to have openly ſhocked what were the univerſal eſtabliſhed principles of that age: On the contrary, we are told by hiſtorians, that nothing tended more to facilitate his acceſſion, than the good opinion entertained of him by the Engliſh, on account of his learned and judicious writings. The queſtion, however, with regard to the royal power was, at this time, become a very dangerous point; and without employing ambiguous, inſignificant terms, which determined nothing, it was impoſſible to pleaſe both king and parliament. Dr. Cowell, who had magnified the prerogative in words too intelligible, fell this ſeſſion under the indignation of the commons. *Parliament. Hiſt.* vol. v. p. 221. The king himſelf, after all his magnificent boaſts, was obliged to make his eſcape through a diſtinction, which he framed between a king *in abſtracto* and a king *in concreto*: An abſtract king, he ſaid, had all power; but a concrete king was bound to obſerve the laws of the country, which he governed. *King James's Works* p. 533. But, how bound: By conſcience only? Or might his ſubjects reſiſt him and defend their privileges? This he thought not fit to explain. And ſo difficult is it to explain that point, that, to this day, whatever liberties may be uſed by private enquirers, the laws have, very prudently, thought proper to maintain a total ſilence with regard to it.

NOTE [H], p. 47.

PARL. HIST. vol. v. p. 290. So little fixed at this time were the rules of parliament, that the commons complained to the peers of a ſpeech made in the upper houſe by the biſhop of Lincoln; which it belonged only to that houſe to cenſure, and which the other could not regularly be ſuppoſed to be acquainted with. Theſe at leaſt are the rules eſtabliſhed ſince the parliament became a real ſeat of power, and ſcene of buſineſs. Neither the king muſt take notice of what paſſes in either houſe, nor either houſe of what paſſes in the other, till regularly informed of it. The commons, in their famous proteſtation 1621, fixed this rule with regard to the king, though at preſent they would not bind themſelves by it. But as liberty was yet new, thoſe maxims, which guard and regulate it, were unknown and unpractiſed.

NOTE, [I], p. 63.

SOME of the facts in this narrative, which ſeem to condemn Raleigh, are taken from the king's declaration, which being publiſhed by authority, when the facts were recent, being extracted from examinations before the privy council, and ſubſcribed by ſix privy counſellors, among whom was Abbot archbiſhop of Canterbury, a prelate nowiſe complaiſant to the court, muſt be allowed to have great weight, or rather to be of undoubted credit. Yet the moſt material facts are confirmed either by the nature and reaſon of the thing, or by Sir Walter's own apology and his letters. The king's declaration is in the Harleyan miſcellany, Vol. 3. No. 2.

1. THERE ſeems to be an improbability, that the Spaniards, who knew nothing of Raleigh's pretended mine, ſhould have built a town in ſo wide a coaſt, within three

miles of it. The chances are extremely againſt ſuch a ſuppoſition: And it is more natural to think that the view of plundering the town led him thither, than that of working a mine. 2. No ſuch mine is there found to this day. 3. Raleigh in fact found no mine, and in fact he plundered and burned a Spaniſh town. Is it not more probable, therefore, that the latter was his intention? How can the ſecrets of his breaſt be rendered ſo viſible as to counterpoiſe certain facts? 4. He confeſſes, in his letter to lord Carew, that, though he knew it, yet he concealed from the king the ſettlement of the Spaniards on that coaſt. Does not this fact alone render him ſufficiently criminal? 5. His commiſſion impowers him only to ſettle on a coaſt poſſeſſed by ſavage and barbarous inhabitants. Was it not the moſt evident breach of orders to diſembark on a coaſt poſſeſſed by Spaniards? 6. His orders to Keymis, when he ſent him up the river, are contained in his own apology, and from them it appears, that he knew (what was unavoidable) that the Spaniards would reſiſt, and would oppoſe the Engliſh landing and taking poſſeſſion of the country. His intentions, therefore were hoſtile from the beginning. 7. Without provocation, and even when at a diſtance, he gave Keymis orders to diſlodge the Spaniards from their own town. Could any enterprize be more hoſtile? And conſidering the Spaniards as allies to the nation, could any enterprize be more criminal? Was he not the aggreſſor, even though it ſhould be true that the Spaniards fired upon his men at landing? It is ſaid, he killed three or four hundred of them. Is that ſo light a matter? 8. In his letter to the king, and in his apology, he grounds his defence on former hoſtilities exerciſed by the Spaniards againſt other companies of Engliſhmen. Theſe are accounted for by the ambiguity of the treaty between the nations. And it is plain, that though theſe might poſſibly be reaſons for the king's declaring war againſt that nation, they could never intitle Raleigh to declare war, and without any commiſſion, or contrary to his commiſſion, to invade the Spaniſh ſettlements. He pretends indeed that peace was never made with Spain in the Indies: A moſt abſurd notion! The chief hurt which the Spaniards could receive from England was in the Indies; and they never would have made peace at all, if hoſtilities had been ſtill to be continued on theſe ſettlements. By ſecret agreement, the Engliſh were ſtill allowed to ſupport the Dutch even after the treaty of peace. If they had alſo been allowed to invade the Spaniſh ſettlements, the treaty had been a full peace to England, while the Spaniards were ſtill expoſed to the full effects of war. 9. If the claim to the property of that country, as firſt diſcoverers, was good, in oppoſition to preſent ſettlement, as Raleigh pretends; why was it not laid before the king with all its circumſtances, and ſubmitted to his judgment? 10. Raleigh's force is acknowledged by himſelf to have been inſufficient to ſupport him in the poſſeſſion of St. Thomas againſt the power of which Spain was maſter on that coaſt; yet it was ſufficient, as he owns, to take by ſurprize and plunder twenty towns. It was not therefore his deſign to ſettle, but to plunder. By theſe confeſſions, which I have here brought together, he plainly betrays himſelf. 11. Why did he not ſtay and work his mine as at firſt he projected. He apprehended that the Spaniards would be upon him with a greater force. But before he left England, he knew that this muſt be the caſe, if he invaded any part of the Spaniſh colonies. His intention therefore never was to ſettle, but only to plunder. 12. He acknowledges that he knew neither the depth nor riches of the mine, but only that there was ſome ore there. Would he have ventured all his fortune and credit on ſo precarious a foundation? 13. Would the other adventurers, if made acquainted with this, have riſqued every thing to attend him? Ought a fleet to have been equipped for an experiment? Was there not plainly an impoſture in the management of this affair? 14. He ſays to Keymis, in his orders, Bring but a baſket full of ore, and it will ſatisfy the king, that my project was not imaginary. This was eaſily done from the Spaniſh mines; and he ſeems to have been chiefly diſpleaſed at Keymis for not attempting it. Such a view was a premeditated apology to cover his cheat. 15. The king in his declaration imputes

it to Raleigh, that as ſoon as he was at ſea, he immediately fell into ſuch uncertain and doubtful talk of his mine, and ſaid, that it would be ſufficient if he broughth ome a baſket-full of ore. From the circumſtance laſt-mentioned, it appears that this imputation was not without reaſon. 16. There are many other circumſtances of great weight in the king's declaration; that Raleigh, when he fell down to Plymouth, took no pioneers with him, which he always declared to be his intention: That he was nowiſe provided with inſtruments for working a mine, but had a ſufficient ſtock of warlike ſtores; that young Raleigh, in attacking the Spaniards, employed the words, which, in the narration, I have put in his mouth; that the mine was moveable, and ſhifted as he ſaw convenient: Not to mention many other public facts wich prove him to have been highly criminal againſt his companions as well as country. Howel in his letters ſays, that there lived in London, in 1645, an officer, a man of honour, who aſſerted, that he heard young Raleigh ſpeak theſe words, vol. ii. letter 63. That was a time when there was no intereſt in maintaining ſuch a fact. 17. Raleigh's account of his firſt voyage to Guiana proves him to have been a man capable of the moſt extravagant credulity or moſt impudent impoſture. So ridiculous are the ſtories which he tells of the Inca's chimerical empire in the midſt of Guiana; the rich city of El Dorado, or Manoa, two days journey in length, and ſhining with gold and ſilver; the old Peruvian prophecies in favour of the Engliſh, who, he ſays, were expreſsly named as the deliverers of that country, long before any European had ever touched there; the Amazons or republic of women; and in general, the vaſt and incredible riches which he ſaw on that continent, where nobody has yet found any treaſures. This whole narrative is a proof that he was extremely defective either in ſolid underſtanding, or morals, or both. No man's character indeed ſeems ever to have been carried to ſuch extremes as Raleigh's, by the oppoſite paſſions of envy and pity. In the former part of his life, when he was active and lived in the world, and was probably beſt known, he was the object of univerſal hatred and deteſtation throughout England; in the latter part, when ſhut up in priſon, he became, much more unreaſonably, the object of great love and admiration.

As to the circumſtances of the narrative, that Raleigh's pardon was refuſed him, that his former ſentence was purpoſely kept in force againſt him, and that he went out under theſe expreſs conditions, they may be ſupported by the following authorities. 1. The king's word and that of ſix privy-counſellors, who affirm it for fact. 2. The nature of the thing. If no ſuſpicion had been entertained of his intentions, a pardon would never have been refuſed to a man, to whom authority was entruſted. 3. The words of the commiſſion itſelf, where he is ſimply ſtiled Sir Walter Raleigh, and not *faithful and well beloved*, according to the uſual and never-failing ſtile on ſuch occaſions. 4. In all the letters which he wrote home to Sir Ralph Winwood and to his own wife, he always conſidered himſelf as a perſon unpardoned and liable to the law. He ſeems indeed, immediately upon the failure of his enterprize, to have become deſperate, and to have expected the fate which he met with.

It is pretended, that the king gave intelligence to the Spaniards of Raleigh's project; as if he had needed to lay a plot for deſtroying a man, whoſe life had been fourteen years, and ſtill was, in his power. The Spaniards wanted no other intelligence to be on their guard, than the known and public fact of Raleigh's armament. And there was no reaſon why the king ſhould conceal from them the project of a ſettlement, which Raleigh pretended, and the king believed, to be entirely innocent.

The king's chief blame ſeems to have lain in his negligence, in allowing Raleigh to depart without a more exact ſcrutiny: But for this he apologizes, by ſaying, that ſureties were required for the good behaviour of Raleigh and all his aſſociates in the enterprize, but that they gave in bonds for each other: A cheat which was not perceived till they had ſailed, and which encreaſed the ſuſpicion of bad intentions.

Perhaps the king ought alſo to have granted Raleigh a pardon for his old treaſon, and to have tried him anew for his new offences. His puniſhment in that caſe would not only have been juſt, but conducted in a juſt and unexceptionable manner. But we

are told that a ridiculous opinion at that time prevailed in the nation (and it is plainly ſuppoſed by Sir Walter in his apology) that, by treaty, war was allowed with the Spaniards in the Indies, though peace was made in Europe: And while that notion took place, no jury would have found Raleigh guilty. So that had not the king puniſhed him upon the old ſentence, the Spaniards would have had a juſt cauſe of complaint againſt the king, ſufficient to have produced a war, at leaſt to have deſtroyed all cordiality between the nations.

THIS explication I thought neceſſary, in order to clear up the ſtory of Raleigh's which, though very obvious, is generally miſtaken in ſo groſs a manner, that I ſcarcely know its parallel in the Engliſh hiſtory.

NOTE [K], p. 69.

THIS parliament is remarkable for being the epoch, in which were firſt regularly formed though without acquiring theſe denominations, the parties of court and country; parties, which had ever ſince continued, and which, while they oft threaten the total diſſolution of the government, are the real cauſes of its permanent life and vigour. In the ancient feudal conſtitution, of which the Engliſh partook with other European nations, there was a mixture, not of authority and liberty, which we have ſince enjoyed in this iſland, and which now ſubſiſt uniformly together; but of authority and anarchy, which perpetually ſhocked with each other, and which took place alternately, according as circumſtances were more or leſs favourable to either of them. A parliament compoſed of barbarians, ſummoned from their fields and foreſts, uninſtructed by ſtudy, converſation, or travel; ignorant of their own laws and hiſtory, and unacquainted with the ſituation of all foreign nations; a parliament called precariouſly by the king; and diſſolved at his pleaſure; ſitting a few days, debating a few points prepared for them, and whoſe members were impatient to return to their own caſtles, where alone they were great, and to the chaſe, which was their favourite amuſement: Such a parliament was very little fitted to enter into a diſcuſſion of all the queſtions of government, and to ſhare, in a regular manner, the legal adminiſtration. The name, the authority of the king alone appeared, in the common courſe of government; in extraordinary emergencies, he aſſumed, with ſtill better reaſon, the ſole direction; the imperfect and unformed laws left, in every thing, a latitude of interpretation; and when the ends, purſued by the monarch, were, in general, agreeable to his ſubjects, little ſcruple or jealouſy was entertained with regard to the regularity of the means. During the reign of an able, fortunate, or popular prince, no member of either houſe, much leſs of the lower, durſt think of entering into a formed party, in oppoſition to the court ſince the diſſolution of the parliament muſt, in a few days, leave him unprotected, to the vengeance of his ſovereign, and to thoſe ſtretches of prerogative, which were then ſo eaſily made, in order to puniſh an obnoxious ſubject. During an unpopular and weak reign, the current commonly ran ſo ſtrong againſt the monarch, that none durſt inliſt themſelves in the court party; or if the prince was able to engage any conſiderable barons on his ſide, the queſtion was decided with arms in the field, not by debates or arguments in a ſenate or aſſembly. And upon the whole, the chief circumſtance, which, during ancient times, retained the prince in any legal form of adminiſtration, was, that the ſword, by the nature of the feudal tenures, remained ſtill in the hands of his ſubjects; and this irregular and dangerous check had much more influence than the regular and methodical limits of the laws and conſtitution. As the nation could not be compelled, it was neceſſary that every public meaſure of conſequence, particularly that of levying new taxes, ſhould ſeem to be adopted by common conſent and approbation.

THE princes of the houſe of Tudor, partly by the vigour of their adminiſtration, partly by the concurrence of favourable circumſtances, had been able to eſtabliſh a more regular ſyſtem of government; but they drew the conſtitution ſo near to deſpotiſm, as

diminiſhed extremely the authority of the parliament. The ſenate became in a great degree, the organ of royal will and pleaſure: Oppoſition would have been regarded as a ſpecies of rebellion: And even religion, the moſt dangerous article in which innovations could be introduced, had admitted, in the courſe of a few years, four ſeveral alterations from the authority alone of the ſovereign. The parliament was not then the road to honour and preferment: The talents of popular intrigue and eloquence were uncultivated and unknown: And though that aſſembly ſtill preſerved authority, and retained the privilege of making laws and beſtowing public money, the members acquired not, upon that account, either with prince or people, much more weight and conſideration. What powers were neceſſary for conducting the machine of government, the king was accuſtomed, of himſelf, to aſſume. His own revenues ſupplied him with money ſufficient for his ordinary expences. And when extraordinary emergencies occurred, the prince needed not to ſolicit votes in parliament, either for making laws or impoſing taxes, both of which were now become requiſite for public intereſt and preſervation.

The ſecurity of individuals, ſo neceſſary to the liberty of popular counſels, was totally unknown in that age. And as no deſpotic princes, ſcarcely even the eaſtern tyrants, rule entirely without the concurrence of ſome aſſemblies, which ſupply both advice and authority; little, but a mercenary force, ſeems then to have been wanting towards the eſtabliſhment of a ſimple monarchy in England. The militia, though more favourable to regal authority, than the feudal inſtitutions, was much inferior, in this reſpect, to diſciplined armies and if it did not preſerve liberty to the people, it preſerved, at leaſt, the power, if ever the inclination ſhould ariſe, of recovering it.

But ſo low, at that time, ran the inclination towards liberty, that Elizabeth, the laſt of that arbitrary line, herſelf no leſs arbitrary, was yet the moſt renowned and moſt popular of all the ſovereigns that had filled the throne of England. It was natural for James to take the government as he found it, and to purſue her meaſures, which he heard ſo much applauded; nor did his penetration extend ſo far as to diſcover, that neither his circumſtances nor his character could ſupport ſo extenſive an authority. His narrow revenues and little frugality began now to render him dependent on his people, even in the ordinary courſe of adminiſtration: Their encreaſing knowledge diſcovered to them that advantage, which they had obtained; and made them ſenſible of the ineſtimable value of civil liberty. And as he poſſeſſed too little dignity to command reſpect, and too much good nature to impreſs fear, a new ſpirit diſcovered itſelf every day in the parliaments; and a party, watchful of a free conſtitution, was regularly formed in the houſe of commons.

But notwithſtanding theſe advantages acquired to liberty, ſo extenſive was royal authority, and ſo firmly eſtabliſhed in all its parts, that it is probable the patriots of that age would have deſpaired of ever reſiſting it, had they not been ſtimulated by religious motives, which inſpire a courage unſurmountable by any human obſtacle.

The ſame alliance, which has ever prevailed between kingly power and eccleſiaſtical authority, was now fully eſtabliſhed in England; and while the prince aſſiſted the clergy in ſuppreſſing ſchiſmatics and innovators, the clergy in return, inculcated the doctrine of an unreſerved ſubmiſſion and obedience to the civil magiſtrate. The genius of the church of England, ſo kindly to monarchy, forwarded the confederacy; its ſubmiſſion to epiſcopal juriſdiction; its attachment to ceremonies, to order, and to a decent pomp and ſplendor of worſhip; and in a word its affinity to the tame ſuperſtition of the catholics, rather than to the wild fanaticiſm of the puritans.

On the other hand, oppoſition to the church, and the perſecutions under which they laboured, were ſufficient to throw the puritans into the country party, and to beget political principles little favourable to the high pretenſions of the ſovereign. The ſpirit

too of enthuſiaſm; bold, daring, and uncontrouled; ſtrongly diſpoſed their minds to adopt republican tenets; and inclined them to arrogate, in their actions and conduct, the ſame liberty, which they aſſumed, in their rapturous flights and ecſtaſies. Ever ſince the firſt origin of that ſect, through the whole reign of Elizabeth as well as of James, *puritanical* principles had been underſtood in a double ſenſe, and expreſſed the opinions favourable both to political and to eccleſiaſtical liberty. And as the court, in order to diſcredit all parliamentary oppoſition, affixed the denomination of puritans to its antagoniſts; the religious puritans willingly adopted this idea, which was ſo advantageous to them, and which confounded their cauſe with that of the patriots or country party. Thus were the civil and eccleſiaſtical factions regularly formed; and the humour of the nation, during that age, running ſtrongly towards fanatical extravagancies, the ſpirit of civil liberty gradually revived from its lethargy, and by means of its religious aſſociate, from which it reaped more advantage than honour, it ſecretly enlarged its dominion over the greater part of the kingdom.

This Note was in the firſt editions a part of the text; but the author ommitted it, in order to avoid, as much as poſſible, the ſtyle of diſſertation in the body of his hiſtory. The paſſage however, contains views ſo important, that, he thought it might be admitted as a note.

NOTE [L], p. 75.

THIS proteſtation is ſo remarkable, that it may not be improper to give it in its own words. "The commons now aſſembled in parliament, being juſtly occaſioned "thereunto, concerning ſundry liberties, franchiſes, and privileges, of parliament, a"mongſt others, here mentioned, do make this proteſtation following: That the liber"ties, franchiſes, and juriſdictions of parliament are the ancient and undoubted birth"right and inheritance of the ſubjects of England; and that the urgent and arduous "affairs concerning the king, ſtate and defence of the realm and of the church of Eng"land; and the maintenance and making of laws, and redreſs of miſchiefs and grievan"ces, which daily happen within this realm, are proper ſubjects and matter of council "and debate in parliament; and that in the handling and proceeding of thoſe buſineſ"ſes, every member of the houſe of parliament hath, and, of right, ought to have freedom "of ſpeech to propound, treat, reaſon, and bring to concluſion the ſame; and that the "commons in parliament have like liberty and freedom to treat of theſe matters, in "ſuch order as in their judgment ſhall ſeem fitteſt; and that every member of the ſaid "houſe hath like freedom from all impeachment, impriſonment, and moleſtation (other "than by cenſure of the houſe itſelf) for or concerning any ſpeaking, reaſoning, or de"claring of any matter or matters touching the parliament or parliament-buſineſs. "And that if any of the ſaid members be complained of and queſtioned for any thing "done or ſaid in parliament, the ſame is to be ſhown to the king by the advice and aſſent "of all the commons aſſembled in parliament, before the king give credence to any "private information. Franklyn, p. 65. Ruſhworth, vol. i. p. 53. Kennet, p. 747. Coke, p. 77.

NOTE [M], p. 86.

THE moment the prince embarked at St. Andero's, he ſaid, to thoſe about him, that it was folly in the Spaniards to uſe him ſo ill, and allow him to depart: A proof that the duke had made him believe they were inſincere in the affair of the marriage and the Palatinate: For, as to his reception, in other reſpects, it had been altogether unexceptionable. Beſides, had not the prince believed the Spaniards to be inſincere, he had no reaſon to quarrel with them, though Buckingham had. It appears therefore, that Charles himſelf muſt have been deceived. The multiplied delays of the diſpenſation,

though they aroſe from accident, afforded Buckingham a plauſible pretext for charging the Spaniards with inſincerity.

NOTE [N], p. 91.

AMONG other particulars, he mentions a ſum of 80,000 pounds borrowed from the king of Denmark. In a former ſpeech to the parliament, he told them, that he had expended 500,000 pounds in the cauſe of the Palatine, beſides the voluntary contribution given him by the people. See Franklyn, p. 50. But what is more extraordinary, the treaſurer, in order to ſhow his own good ſervices, boaſts to the parliament, that by his contrivance, 60,000 pounds had been ſaved in the article of exchange in the ſums remitted to the Palatine. This ſeems a great ſum, nor is it eaſy to conceive whence the king could procure ſuch vaſt ſums as would require a ſum ſo conſiderable to be paid in exchange. From the whole, however, it appears, that the king had been far from neglecting the intereſts of his daughter and ſon-in-law, and had even gone far beyond what his narrow revenue could afford.

NOTE [O], p. 93.

HOW little this principle had prevailed, during any former period of the Engliſh government, particularly during the laſt reign, which was certainly not ſo perfect a model of liberty as moſt writers would repreſent it, will eaſily appear from many paſſages in the hiſtory of that reign. But the ideas of men were much changed, during about twenty years of a gentle and peaceful adminiſtration. The commons, though James, of himſelf, had recalled all patents of monopolies, were not contented without a law againſt them, and a declaratory law too; which was gaining a great point, and eſtabliſhing principles very favourable to liberty: But they were extremely grateful, when Elizabeth, upon petition after having once refuſed their requeſts) recalled a few of the moſt oppreſſive patents; and employed ſome ſoothing expreſſions towards them.

THE parliament had ſurely reaſon, when they confeſſed, in the ſeventh of James, that he allowed them more freedom of debate, than ever was indulged by any of his predeceſſors. His indulgence in this particular, joined to his eaſy temper, was probably one cauſe of the great power aſſumed by the commons. Monſieur de la Boderie, in his diſpatches, vol. i. p. 449, mentions the liberty of ſpeech in the houſe of commons as a new practice.

NOTE (P), p. 97.

RYMER, tom. xviii. p. 224. 'Tis certain that the young prince of Wales, afterwards Charles II. had proteſtant governors from his early infancy; firſt the earl of Newcaſtle, then the Marquis of Hertford. The king, in his memorial to foreign churches after the commencement of the civil wars, inſiſts on his care in educating his children in the proteſtant religion, as a proof that he was no-wiſe inclined to the catholic. Ruſhworth, vol. v. p. 752. It can ſcarcely, therefore be queſtioned, but this article, which has ſo odd an appearance, was inſerted only to amuſe the pope, and was never intended by either party to be executed.

NOTE [Q], p. 103.

"MONARCHIES," according to Sir Walter Raleigh, "are of two ſorts touching their power or authority, *viz.* 1. Entire, where the whole power of ordering all "ſtate matters, both in peace and war, doth, by law and cuſtom, appertain to the prince, "as in the Engliſh kingdom; where the prince hath the power to make laws, league

" and war; to create magiſtrates; to pardon life; of appeal, &c. Though, to give a " contentment to the other degrees, they have a ſuffrage in making laws, yet ever ſub- " ject to the prince's pleaſure and negative will.——2. Limited or reſtrained, that hath " no full power in all the points and matters of ſtate, as the military king that hath not " the ſovereignty in time of peace, as the making of laws, &c. But in war only, as the " Polonian king. *Maxims of State.*

And a little after, " In every juſt ſtate, ſome part of the government is, or ought to " be, imparted to the people, as in a kingdom, a voice and ſuffrage in making laws; " and ſometimes alſo of levying of arms (if the charge be great, and the prince forced " to borrow help of his ſubjects) the matter rightly may be propounded to a parliament, " that the tax may *ſeem* to have proceeded from themſelves. So conſultations and ſome " proceedings in judicial matters may, in part, be referred to them. The reaſon, leſt, " ſeeing themſelves to be in no number nor of reckoning, they miſlike the ſtate or go- " vernment." This way of reaſoning differs little from that of king James, who conſi- dered the privileges of the parliament as matters of grace and indulgence, more than of inheritance. It is remarkable that Raleigh was thought to lean towards the puritanical party, notwithſtanding theſe poſitions. But ideas of government change much in differ- ent times.

Raleigh's ſentiments on this head are ſtill more openly expreſſed, in his *Prerogative of parliaments*, a work not publiſhed till after his death. It is a dialogue between a cour- tier or counſellor and a country juſtice of peace, who repreſents the patriot party, and de- fends the higheſt notions of liberty, which the principles of that age would bear. Here is a paſſage of it: *Counſellor.* That which is done by the king, with the advice of his " private or privy council, is done by the king's abſolute power. *Juſtice.* And by whoſe " power is it done in parliament but by the king's abſolute power? Miſtake it not, my " lord: The three eſtates do but adviſe as the privy council doth; which advice, if the " king embrace, it becomes the king's own act in the one, and the king's law in the o- " ther, &c."

The earl of Clare, in a private letter to his ſon-in-law Sir Thomas Wentworth, after- wards earl of Strafford, thus expreſſes himſelf: " We live under a prerogative govern- " ment, where book law ſubmits to *lex loquens.*" He ſpoke from his own, and all his an- ceſtors' experience. There was no ſingle inſtance of power, which a king of England might not, at that time, exert, on pretence of neceſſity or expediency: The continuance alone, or frequent repetition of arbitrary adminiſtration might prove dangerous, for want of force to ſupport it. It is remarkable that this letter of the earl of Clare wa written in the firſt year of Charles's reign; and conſequently muſt be meant of the ge- neral genius of the government, not the ſpirit or temper of the monarch. See Strafford's letters, vol. i. p. 32. From another letter in the ſame collection, vol. i. p. 10. it appears that the council ſometimes aſſumed the power of forbidding perſons diſagreeable to the court, to ſtand in the elections. This authority they could exert in ſome inſtances; but we are not thence to infer, that they could ſhut the door of that houſe to every one who was not acceptable to them. The genius of the ancient government repoſed more truſt in the king, than to entertain any ſuch ſuſpicion, and it allowed ſcattered inſtances, of ſuch a kind as would have been totally deſtructive of the conſtitution, had they been continued without interruption.

I have not met with any Engliſh writer in that age, who ſpeaks of England as a li- mited monarchy, but as an abſolute one, where the people have many privileges. That is no contradiction. In all European monarchies, the people have privileges; but whether dependant or independant on the will of the monarch, is a queſtion, that, in moſt governments, it is better to forbear. Surely that queſtion was not determined, be- fore the end of James. The riſing ſpirit of the parliament, together with that king's love of general, ſpeculative principles, brought it from its obſcurity, and made its be com-

monly canvaſſed. The ſtrongeſt teſtimony, that I remember from a writer of James's age, in favour of Engliſh liberty, is in cardinal Bentivoglio, a foreigner, who mentions the Engliſh government as ſimilar to that of the low-country provinces under their princes, rather than to that of France or Spain. Engliſhmen were not ſo ſenſible that their prince was limited, becauſe they were ſenſible, that no individual had any ſecurity againſt a ſtretch of prerogative: But foreigners, by compariſon, could perceive, that theſe ſtretches were, at that time, from cuſtom or other cauſes, leſs frequent in England than in other monarchies. Philip de Comines too remarked the Engliſh conſtitution to be more popular, in his time, than that of France. But in a paper written by a patriot in 1627, it is remarked that the freedom of ſpeech in parliament had been loſt in England, ſince the days of Comines. See Franklyn, p. 238. Here is a ſtanza of Malherbe's Ode to Mary de Medicis, the queen regent, written in 1614.

Entre les rois à qui cet age
Doit ſon principal ornement,
Ceux de la Tamiſe et du Tage
Font louer leur gouvernement;
Mais en de ſi calmes provinces,
Ou le peuple adore les princes,
Et met au gré le plus haut
L'honneur du ſceptre legitime,
Scauroit on excuſer le crime
De ne regner pas comme il faut.

The Engliſh, as well as the Spaniards, are here pointed out as much more obedient ſubjects than the French, and much more tractable and ſubmiſſive to their princes. Though this paſſage be taken from a poet, every man of judgment will allow its authority to be deciſive. The character of a national government cannot be unknown in Europe; though it changes ſometimes very ſuddenly. Machiavel, in his Diſſertations on Livy, ſays repeatedly, that France was the moſt legal and moſt popular monarchy then in Europe.

NOTE [R], p. 104.

PASSIVE obedience is expreſsly and zealouſly inculcated in the homilies, compoſed and publiſhed by authority, in the reign of queen Elizabeth. The convocation, which met in the very firſt year of the king's reign, voted as high monarchical principles as are contained in the decrees of the univerſity of Oxford, during the rule of the tories. Theſe principles, ſo far from being deemed a novelty, introduced by James's influence, paſſed ſo ſmoothly, that no hiſtorian has taken notice of them: They were never the ſubject of controverſy, or diſpute, or diſcourſe; and it is only by means of biſhop Overall's Convocation-book, printed near ſeventy years after, that we are acquainted with them. Would James, who was ſo cautious, and even timid, have ventured to begin his reign with a bold ſtroke, which would have given juſt ground of jealouſy to his ſubjects? It appears, from that monarch's Baſilicon Doron, written while he was in Scotland, that the republican ideas of the origin of power from the people were, at that time, eſteemed puritanical novelties. The patriarchal ſcheme, it is remarkable, is inculcated in thoſe votes of the convocation preſerved by Overall; nor was Filmer the firſt inventor of thoſe abſurd notions.

NOTE [S], p. 116.

THAT of the honeſt hiſtorian Stowe ſeems not to have been of this number. "The "great bleſſings of God, ſays he, through increaſe of wealth in the common ſub

" jects of this land, eſpecially upon the citizens of London; ſuch within men's memory, " and chiefly within theſe few years of peace, that, except there were now due mention " of ſome ſort made thereof, it would in time to come be held incredible, &c." In another place, " Amongſt the manifold tokens and ſigns of the infinite bleſſings of Almighty God beſtowed upon this kingdom, by the wondrous and merciful eſtabliſhing of " peace within ourſelves, and the full benefit of concord with all Chriſtian nations and others: Of all which graces let no man dare to preſume he can ſpeak too much; " whereof in truth there can never be enough ſaid, neither was there ever any people " leſs conſiderate and leſs thankful than at this time, being not willing to endure the " memory of their preſent happineſs, as well as in the univerſal increaſe of commerce " and traffic throughout the kingdom, great building of royal ſhips and by private merchants, the re-peopling of cities, towns, and villages, beſide the diſcernible and ſudden increaſe of fair and coſtly buildings, as well within the city of London as the ſuburbs thereof, eſpecially within theſe twelve years, &c.

NOTE (T), p. 140.

BY a ſpeech of Sir Simon D'Ewes, in the firſt year of the long parliament, it clearly appears, that the nation never had, even to that time, been rightly informed concerning the tranſactions of the Spaniſh negociation, and ſtill believed the court of Madrid to have been altogether inſincere in their profeſſions. What reaſon, upon that ſuppoſition, had they to blame either the prince or Buckingham for their conduct, or for the narrative delivered to the parliament? This is a capital fact, and ought to be well attended to. D'Ewes's ſpeech is in Nalſon, vol. ii. p. 368. No author or hiſtorian of that age mentions the diſcovery of Buckingham's impoſtures as a cauſe of diſguſt in the parliament. Whitlocke, p. 1. only ſays, that the commons began to ſuſpect, *that it had been ſpleen in Buckingham*, not zeal for publick good, *which had induced him to break the Spaniſh match*: A clear proof that his falſehood was not ſuſpected. Wilſon, p. 780. ſays, that Buckingham loſt his popularity after Briſtol arrived, not becauſe that nobleman diſcovered to the world the falſehood of his narrative, but becauſe he proved that Buckingham, while in Spain, had profeſſed himſelf a papiſt; which is falſe, and which was never ſaid by Briſtol. In all the debates which remain, not the leaſt hint is ever given, that any falſehood was ſuſpected in the narrative. I ſhall farther add, that even if the parliament had diſcovered the deceit in Buckingham's narrative, this ought not to have altered their political meaſures, or made them refuſe ſupply to the king. They had ſuppoſed it practicable to wreſt the Palatinate by arms from the houſe of Auſtria; they had repreſented it as prudent to expend the blood and treaſure of the nation in ſuch an enterprize; they had believed that the king of Spain never had any ſincere intention of reſtoring that principality. It is certain that he had not now any ſuch intention; And though there was reaſon to ſuſpect, that this alteration in his views had proceeded from the ill conduct of Buckingham, yet paſt errors could not be retrieved; and the nation was undoubtedly in the ſame ſituation, which the parliament had ever ſuppoſed, when they ſo much haraſſed their ſovereign, by their impatient, importunate, and even undutiful ſolicitations. To which we may add, that Charles himſelf was certainly deceived by Buckingham, when he corroborated his favourite's narrative by his teſtimony. Party hiſtorians are ſomewhat inconſiſtent in their repreſentations of theſe tranſactions: They repreſent the Spaniards as totally inſincere, that they may reproach James with credulity in being ſo long deceived by them: They repreſent them as ſincere, that they may reproach the king, the prince, and the duke, with falſehood in their narrative to the parliament. The truth is, they were inſincere at firſt; but the reaſons, proceeding from bigotry, were not ſuſpected by James, and were at laſt overcome. They became ſincere; but the prince, deceived by the many unavoidable cauſes of delay, believed that they were ſtill deceiving him.

NOTE (U), p. 163.

THIS petition is of ſo great importance, that we ſhall here give it at length. Humbly ſhew unto our ſovereign lord the king, the lords ſpiritual and temporal, and commons, in parliament aſſembled, That, whereas it is declared and enacted by a ſtatute made in the time of the reign of king Edward I. commonly called *Statutum de talagio non concedendo*, that no tallage or aid ſhall be levied by the king or his heirs in this realm, without the good will and aſſent of the archbiſhops, biſhops, earls, barons, knights, burgeſſes, and other the freemen of the commonality of this realm: And, by authority of parliament, holden in the five and twentieth year of the reign of king Edward III. it is declared and enacted, That, from thenceforth, no perſon ſhall be compelled to make any loans to the king againſt his will, becauſe ſuch loans, were againſt reaſon, and the franchiſe of the land: And, by other laws of this realm, it is provided, that none ſhould be charged by any charge or impoſition called a benevolence; or by ſuch like charge: By which the ſtatutes before-mentioned, and other the good laws and ſtatutes of this realm, your ſubjects have inherited this freedom, that they ſhould not be compelled to contribute to any tax, tallage, aid, or other like charge, not ſet by common conſent in parliament.

II. YET nevertheleſs, of late divers commiſſions directed to ſundry commiſſioners in ſeveral counties, with inſtructions, have iſſued; by means whereof your people have been in divers places aſſembled, and required to lend certain ſums of money unto your majeſty, and many of them, upon their refuſal ſo to do, have had an oath adminiſtered unto them not warrantable by the laws or ſtatutes of this realm, and have been conſtrained to become bound to make appearance and give attendance before your privy-council, and in other places, and others of them, have been therefore impriſoned, confined, and ſundry otherways moleſted and diſquieted: And divers other charges have been laid and levied upon your people, in ſeveral counties, by lord-lieutenants, deputy-lieutenants, commiſſioners for muſters, juſtices of peace, and others, by command or direction from your majeſty, or your privy council, againſt the laws and free cuſtoms of this realm.

III. AND whereas alſo, by the ſtatute called *The great charter, of the liberties of England*, it is declared and enacted, That no freeman may be taken or impriſoned, or be diſſeized of his freehold or liberties, or his free cuſtoms, or be outlawed or exiled, or in any manner deſtroyed, but by the lawful judgement of his peers, or by the law of the land.

IV. AND, in the eight and twentieth year of the reign of king Edward III, it was declared and enacted, by authority of parliament. That no man, of what eſtate or condition that he be, ſhould be put out of his land or tenements, nor taken, nor impriſoned, nor diſherited, nor put to death, without being brought to anſwer by due proceſs of law.

V. NEVERTHELESS, againſt the tenor of the ſaid ſtatutes, and other the good laws and ſtatutes of your realm to that end provided, divers of your ſubjects have of late been impriſoned without any cauſe ſhewed: And, when, for their deliverance, they were brought before juſtice, by your majeſty's writs of *Habeas Corpus*, there to undergo and receive, as the court ſhould order, and their keepers commanded to certify the cauſes of their detainder, no cauſe was certified, but that they were detained by your majeſty's ſpecial command, ſignified by the lords of your privy council, and yet were returned back to ſeveral priſons, without being charged with any thing to which they might make anſwer according to the law.

VI. AND whereas of late great companies of ſoldiers and mariners have been diſperſed into divers counties of the realm, and the inhabitants, againſt their wills have been compelled to receive them into their houſes, and there to ſuffer them to ſojourn, againſt the laws and cuſtoms of this realm, and to the great grievance and vexation of the people.

VII. And whereas alſo, by authority of parliament, in the five and twentieth year of the reign of king Edward III. it is declared and enacted, That no man ſhould be forejudged of life or limb againſt the form of the *Great Charter*, and law of the land: And, by the ſaid *Great Charter*, and other the laws and ſtatutes of this your realm, no man ought to be judged to death but by the law eſtabliſhed in this your realm, either by the cuſtoms of the ſame realm, or by acts of parliament: And whereas no offender, of what kind ſoever, is exempted from the proceedings to be uſed, and puniſhments to be inflicted by the laws and ſtatutes of this your realm: Nevertheleſs, of late divers commiſſions, under your majeſty's great ſeal, have iſſued forth, by which certain perſons have been aſſigned and appointed commiſſioners, with power and authority to proceed within the land, according to the juſtice of martial law, againſt ſuch ſoldiers and mariners, or other diſſolute perſons joining with them, as ſhould commit any murther, robbery, felony, mutiny, or other outrage or miſdemeanour whatſoever, and by ſuch ſummary courſe and order as is agreeable to martial law, and as is uſed in armies in time of war, to proceed to the trial and condemnation of ſuch offenders, and them to cauſe to be executed and put to death according to the law martial.

VIII. By pretext whereof ſome of your majeſty's ſubjects have been, by ſome of the ſaid commiſſioners, put to death, when and where, if, by the laws and ſtatutes of the land, they had deſerved death, by the ſame laws and ſtatutes alſo they might, and by no other ought, to have been judged and executed.

IX. And alſo ſundry grievous offenders, by colour thereof claiming an exemption, have eſcaped the puniſhments due to them by the laws and ſtatutes of this your realm, by reaſon that divers of your officers and miniſters of juſtice have unjuſtly refuſed or forborn to proceed againſt ſuch offenders, according to the ſame laws and ſtatutes, upon pretence that the ſaid offenders were puniſhable only by martial law, and by authority of ſuch commiſſions as aforeſaid: Which commiſſions, and all other of like nature, are wholly and directly contrary to the ſaid laws and ſtatutes of this your realm.

X. They do therefore humbly pray your moſt excellent majeſty, That no man hereafter be compelled to make or yield any gift, loan, benevolence, tax, or ſuch like charge without common conſent, by act of parliament: And that none be called to make anſwer, or take ſuch oath, or to give attendance, or be confined or otherwiſe moleſted or diſquieted concerning the ſame, or for refuſal thereof: And that no freeman, in any ſuch manner as is before-mentioned, be impriſoned or detained: And that your majeſty would be pleaſed to remove the ſaid ſoldiers and mariners, and that people may not be ſo burthened in time to come; and that the aforeſaid commiſſions, for proceeding by martial law, may be revoked and annulled: And that hereafter no commiſſions of like nature may iſſue forth, to any perſon or perſons whatſoever, to be executed as aforeſaid, leſt, by colour of them, any of your majeſty's ſubjects be deſtroyed or put to death, contrary to the laws and franchiſe of the land.

XI. All which they moſt humbly pray of your moſt excellent majeſty, as their rights and liberties, according to the laws and ſtatutes of this realm: And that your majeſty would alſo vouchſafe to declare, That the awards, doings, and proceedings to the prejudice of your people, in any of the premiſes, ſhall not be drawn hereafter into conſequence or example: And that your majeſty would be alſo graciouſly pleaſed, for the further comfort and ſafety of your people, to declare your royal will and pleaſure, that in the things aforeſaid, all your officers and miniſters ſhall ſerve you according to the laws and ſtatutes of this realm, as they tender the honour of your majeſty, and the proſperity of this kingdom. *Stat.* 17. *Car. cap.* 14.

NOTE [X], p. 172.

THE reaſon aſſigned by Sir Philip Warwick, p. 2. for this unuſual meaſure of the commons, is, that they intended to deprive the crown of the prerogative, which

it had aſſumed of varying the rates of the impoſitions, and at the ſame time were reſolved to cut off the new rates fixed by James. Theſe were conſiderable diminutions both of revenue and prerogative; and whether they would have there ſtopped, conſidering their preſent diſpoſition, may be much doubted. The king, it ſeems, and the lords, were reſolved not to truſt them; nor to render a revenue once precarious, which perhaps they might never afterwards be able to get re-eſtabliſhed on the old footing.

NOTE [Y], p. 196.

HERE is a paſſage of Sir John Davis's queſtion concerning impoſitions, p. 131. "This power of laying on arbitrarily new impoſitions being a prerogative in "point of government, as well as in point of profit, it cannot be reſtrained or bound by "act of parliament; it cannot be limited by any certain or fixt rule of law, no more "than the courſe of a pilot upon the ſea, who muſt turn the helm, or bear higher or "lower ſail, according to the wind or weather; and therefore it may be properly ſaid, "that the king's prerogative in this point, is as ſtrong as *Samſon*; it cannot be bound: "For though an act of parliament be made to reſtrain it, and the king doth give his "conſent unto it, as *Samſon* was bound with his own conſent, yet if the *Philiſtines* come; "that is, if any juſt or important occaſion do ariſe, it cannot hold or reſtrain the pre-"rogative; it will be as thread, and broken as eaſy as the bonds of *Samſon*—The king's "prerogatives are the ſun-beams of the crown, and as inſeparable from it as the ſun-"beams from the ſun: The king's crown muſt be taken from him; *Samſon's* hair muſt "be cut out, before his courage can be any jot abated. Hence it is that neither the "king's act, nor any act of parliament, can give away his prerogative."

NOTE [Z], p. 230.

WE ſhall here make uſe of the liberty, allowed in a note, to expatiate a little on the preſent ſubject. It muſt be confeſſed that the king, in this declaration, touched upon that circumſtance in the Engliſh conſtitution, which it is moſt difficult, or rather altogether impoſſible, to regulate by laws, and which muſt be governed by certain delicate ideas of propriety and decency, rather than by any exact rule or preſcription. To deny the parliament all right of remonſtrating againſt what they eſteem grievances, were to reduce that aſſembly to a total inſignificancy, and to deprive the people of every advantage, which they could reap from popular councils. To complain of the parliament's employing the power of taxation, as the means of extorting conceſſions from their ſovereign, were to expect, that they would entirely diſarm themſelves, and renounce the ſole expedient, provided by the conſtitution, for enſuring to the kingdom a juſt and legal adminiſtration. In different periods of Engliſh ſtory, there occur inſtances of their remonſtrating with their princes in the freeſt manner, and ſometimes of their refuſing ſupply when diſguſted with any circumſtance of public conduct. 'Tis, however, certain, that this power though eſſential to parliaments, may eaſily be abuſed, as well by the frequency and minuteneſs of their remonſtrances, as by their intruſion into every part of the king's counſels and determinations. Under colour of advice, they may give diſguiſed orders; and in complaining of grievances, they may draw to themſelves every power of government. Whatever meaſure is embraced, without conſulting them, may be pronounced an oppreſſion of the people; and, till corrected, they may refuſe the moſt neceſſary ſupplies to their indigent ſovereign. From the very nature of this parliamentary liberty, it is evident, that it muſt be left unbounded by law: For who can foretell, how frequently grievances may occur, or what part of adminiſtration may be affected by them? From the nature too of the human frame, it may be expected, that this liberty would be exerted in its full extent, and no branch of authority be allowed to remain unmoleſted in the hands of the prince: For will the weak limitations of re-

ſpect and decorum be ſufficient to reſtrain human ambition, which ſo frequently breaks through all the preſcriptions of law and juſtice!

But here it is obſervable, that the wiſdom of the Engliſh conſtitution, or rather the concurrence of accidents, has provided, in different periods, certain irregular checks to this privilege of parliament, and thereby maintained, in ſome tolerable meaſure, the dignity and authority of the crown.

In the ancient conſtitution, before the beginning of the ſeventeenth century, the meetings of parliament were precarious and were not frequent. The ſeſſions were ſhort; and the members had no leiſure, either to get acquainted with each other or with public buſineſs. The ignorance of the age made men more ſubmiſſive to that authority which governed them. And above all, the large demeſnes of the crown, with the ſmall expence of government during that period, rendered the prince almoſt independent, and taught the parliament to preſerve great ſubmiſſion and duty towards him.

In our preſent conſtitution, many accidents, which have rendered governments, every where, as well as in Great Britain, much more burthenſome than formerly, have thrown into the hands of the crown the diſpoſal of a large revenue, and have enabled the king, by the private intereſt and ambition of the members, to reſtrain the public intereſt and ambition of the body. While the oppoſition (for we muſt ſtill have an oppoſition, open or diſguiſed) endeavours to draw every branch of adminiſtration under the cognizance of parliament, the courtiers reſerve a part to the diſpoſal of the crown; and the royal prerogative, though deprived of its ancient powers, ſtill maintains a due weight in the balance of the conſtitution.

It was the fate of the houſe of Stuart to govern England at a period, when the former ſource of authority was already much diminiſhed, and before the latter began to flow in any tolerable abundance. Without a regular and fixed foundation, the throne perpetually tottered; and the prince ſat upon it anxiouſly and precariouſly. Every expedient, uſed by James and Charles, in order to ſupport their dignity, we have ſeen attended with ſenſible inconveniences. The majeſty of the crown, derived from ancient powers and prerogatives, procured reſpect, and checked the approaches of inſolent intruders: But it begat in the king ſo high an idea of his own rank and ſtation as made him incapable of ſtooping to popular courſes, or ſubmitting, in any degree, to the controul of parliament. The alliance with the hierarchy ſtrengthened law by the ſanction of religion: But it enraged the puritanical party, and expoſed the prince to the attacks of enemies, numerous, violent, and implacable. The memory too of theſe two kings, from like cauſes has been attended, in ſome degree with the ſame infelicity, which purſued them during the whole courſe of their lives. Though it muſt be confeſſed, that their ſkill in government was not proportioned to the extreme delicacy of their ſituation; a ſufficient indulgence has not been given them, and all the blame, by ſeveral hiſtorians, has been unjuſtly thrown on *their* ſide. Their violations of law, particularly thoſe of Charles, are, in ſome few inſtances, tranſgreſſions of a plain limit, which was marked out to royal authority. But the encroachments of the commons, though, in the beginning, leſs poſitive and determinate, are no leſs diſcernible by good judges, and were equally capable of deſtroying the juſt balance of the conſtitution. While they exerciſed the powers, tranſmitted to them, in a manner more independent, and leſs compliant, than had ever before been practiſed; the kings were, perhaps imprudently, but as they imagined, from neceſſity, tempted to aſſume powers, which had ſcarcely ever been exerciſed, or had been exerciſed in a different manner, by the crown. And from the ſhock of theſe oppoſite pretenſions, together with religious controverſy, aroſe all the factions, convulſions, and diſorders, which attended that period.

This Note was, in the firſt editions, a part of the text.

NOTE [AA], p. 269.

MR. Carte, in his life of the duke of Ormond, has given us ſome evidence to prove that this letter was entirely a forgery of the popular leaders, in order to induce the king to ſacrifice Strafford. He tells us, that Strafford ſaid ſo to his ſon the night before his execution but there are ſome reaſons, why I adhere to the common way of telling this ſtory. 1. The account of the forgery comes through ſeveral hands, and from men of characters not fully known to the public. A circumſtance which weakens every evidence. It is a hearſay of a hearſay. 2. It ſeems impoſſible, but young Lord Strafford muſt inform the king, who would not have failed to trace the forgery, and expoſe his enemies to their merited infamy. 3. It is not to be conceived but Clarendon and Whitlocke, not to mention others, muſt have heard of the matter. 4. Sir George Ratcliffe, in his life of Strafford, tells the ſtory the ſame way that Clarendon and Whitlocke do. Would he alſo, who was Strafford's intimate friend, never have heard of the forgery? It is remarkable, that his life is dedicated or addreſſed to young Strafford. Would not he have put Sir George right in ſo material and intereſting a fact?

NOTE (BB), p. 270.

WHAT made this bill appear of leſs conſequence was, that the parliament voted tonnage and poundage for no longer a period than two months: And as that branch was more than half of the revenue, and the government could not poſſibly ſubſiſt without it; it ſeemed indirectly in the power of the parliament to continue themſelves as long as they pleaſed. This indeed was true in the ordinary adminiſtration of government: But on the approaches towards a civil war, which was not then foreſeen, it had been of great conſequence to the king to have reſerved the right of diſſolution, and to have endured any extremity, rather than allow the continuance of the parliament.

NOTE (CC), p. 289

IT is now ſo univerſally allowed, notwithſtanding ſome muttering to the contrary, that the king had no hand in the Iriſh rebellion, that it will be ſuperfluous to inſiſt on a point which ſeems ſo clear. I ſhall only ſuggeſt a very few arguments among an infinite number which occur. (1) Ought the affirmation of perfidious, infamous rebels ever to have paſſed for any authority? (2) Nobody can tell us what the words of the pretended commiſſion were. That commiſſion which we find in Ruſhworth, vol. v. p. 400. and in Milton's Works, Toland's edition, is plainly an impoſture; becauſe it pretends to be dated in October 1641, yet mentions facts which happened not till ſome months after. It appears that the Iriſh rebels, obſerving ſome inconſiſtence in their firſt forgery, were obliged to forge this commiſſion anew, yet could not render it coherent or probable. (3) Nothing could be more obviouſly pernicious to the king's cauſe than the Iriſh rebellion; becauſe it encreaſed his neceſſities, and rendered him ſtill more dependent on the parliament, who had before ſufficiently ſhown on what terms they would aſſiſt him. (4) The inſtant the king heard of the rebellion, which was a very few days after its commencement, he wrote to the parliament, and gave over to them the management of the war. Had he built any projects on that rebellion, would he not have waited ſome little time, to ſee how they would ſucceed? Would he preſently have adopted a meaſure which was evidently ſo hurtful to his authority? (5) What can be imagined to be the king's projects? To raiſe the Iriſh to arms, I ſuppoſe, and bring them over to England for his aſſiſtance. But is it not plain, that the king never intended to raiſe war in England? Had that been his intention, would he have rendered the parliament perpetual? Does it not appear, by the whole train of events,

that the parliament forced him into the war? (6) The king conveyed to the juſtices intelligence which ought to have prevented the rebellion. (7) The Iriſh catholics, in all their future tranſactions with the king, where they endeavour to excuſe their inſurrection, never had the aſſurance to plead his commiſſion. Even amongſt themſelves they dropped that pretext. It appears that Sir Phelim O'Neale, chiefly, and he only at firſt promoted that impoſture. See Carte's Ormond, vol. iii. No. 100, 111, 112, 114, 115, 121, 132, 137, (8) O'Neale himſelf confeſſed the impoſture on his trial and at his execution. See Nalſon, vol. ii. p. 528. (9) It is ridiculous to mention the juſtification which Charles II. gave to the marquis of Antrim, as if he had acted by his father's commiſſion. Antrim had no hand in the firſt rebellion and the maſſacre. He joined not the rebels till two years after: It was with the king's conſent; and he did important ſervice, in ſending over a body of men to Montroſe.

NOTE, [DD] p. 315.

THE great courage and conduct, diſplayed by many of the popular leaders, have commonly inclined men to do them, in one reſpect, more honour than they deſerve, and to ſuppoſe, that, like able politicians, they employed pretences which they ſecretly deſpiſed, in order to ſerve their ſelfiſh purpoſes. It is, however, probable, if not certain, that they were, generally ſpeaking, the dupes of their own zeal. Hypocriſy, quite pure and free from fanaticiſm, is perhaps, except among men fixed in a determined philoſophical ſcepticiſm, then unknown, as rare as fanaticiſm entirely purged from all mixture of hypocriſy. So congenial to the human mind are religious ſentiments, that it is impoſſible to counterfeit long theſe holy fervours, without feeling ſome ſhare of the aſſumed warmth: And, on the other hand, ſo precarious and temporary, from the frailty of human nature, is the operation of theſe ſpiritual views, that the religious ecſtaſies, if conſtantly employed, muſt often be counterfeit, and muſt be warped by thoſe more familiar motives of intereſt and ambition, which inſenſibly gain upon the mind. This indeed ſeems the key to moſt of the celebrated characters of that age. Equally full of fraud and of ardour, theſe pious patriots talked perpetually of ſeeking the Lord, yet ſtill purſued their own purpoſes; and have left a memorable leſſon to poſterity, how deluſive, how deſtructive, that principle is by which they were animated.

WITH regard to the people, we can entertain no doubt, that the controverſy was, on their part, entirely theological. The generality of the nation could never have flown out into ſuch fury, in order to obtain new privileges and acquire greater liberty than they and their anceſtors had ever been acquainted with. Their fathers had been entirely ſatisfied with the government of Elizabeth: Why ſhould they have been thrown into ſuch extreme rage againſt Charles, who, from the beginning of his reign, wiſhed only to maintain ſuch a government? And why not, at leaſt, compound matters with him, when, by all his laws, it appeared, that, he had agreed to depart from it? Eſpecially, as he had put it entirely out of his power to retract that reſolution. It is in vain, therefore, to dignify this civil war and the parliamentary authors of it, by ſuppoſing it to have any other conſiderable foundation than theological zeal, that great and noted ſource of animoſity among men. The royaliſts alſo were very commonly zealots; but as they were, at the ſame time, maintaining the eſtabliſhed conſtitution, in ſtate as well as church, they had an object which was natural, and which might produce the greateſt paſſion, even without any conſiderable mixture of theological fervour. *The former part of this note was, in the firſt editions, a part of the text.*

NOTE [EE], p. 316.

IN ſome of theſe declarations, ſuppoſed to be penned by lord Falkland, is found the firſt regular definition of the conſtitution, according to our preſent ideas of it, that

occurs in any Engliſh compoſition; at leaſt any publiſhed by authority. The three ſpecies of government, monarchical, ariſtocratical, and democratical, are there plainly diſtinguiſhed, and the Engliſh government is expreſsly ſaid to be none of them pure, but all of them mixed and tempered together. This ſtile, though the ſenſe of it was implied in many inſtitutions, no former king of England would have uſed, and no ſubject would have been permitted to uſe. Banks and the crown-lawyers againſt Hambden, in the caſe of ſhip-money, inſiſt plainly and openly on the king's abſolute and ſovereign power: And the oppoſite lawyers do not deny it: They only aſſert, that the ſubjects have alſo a fundamental property in their goods, and that no part of them can be taken but by their own conſent in parliament. But that the parliament was inſtituted to check and controul the king, and ſhare the ſupreme power, would, in all former times, have been eſteemed very blunt and indiſcreet, if not illegal, language. We need not be ſurpriſed that governments ſhould long continue, though the boundaries of authority, in their ſeveral branches, be implicit, confuſed, and undetermined. This is the caſe all over the world. Who can draw an exact line between the ſpiritual and temporal powers in catholic ſtates? What code aſcertained the preciſe authority of the Roman ſenate, in every occurrence? Perhaps the Engliſh is the firſt mixed government, where the authority of every part has been very accurately defined: And yet there ſtill remain many very important queſtions between the two houſes, that, by common conſent, are buried in a diſcreet ſilence. The king's power is, indeed, more exactly limited; but this period, of which we now treat, is the time at which that accuracy commenced. And it appears from Warwick and Hobbes, that many royaliſts blamed this philoſophical preciſion in the king's penman, and thought that the veil was very imprudently drawn off the myſteries of government. It is certain, that liberty reaped mighty advantages from theſe controverſies and enquiries; and the royal authority itſelf became more ſecure, within thoſe provinces which were aſſigned to it. *Since the firſt publication of this hiſtory, the ſequel of Lord Clarendon has been publiſhed; where that nobleman aſſerts, that he himſelf was the author of moſt of theſe remonſtrances and memorials of the king.*

NOTE, [FF] p. 331.

WHITLOCKE, who was one of the commiſſioners, ſays, p. 65. "In this treaty, the king manifeſted his great parts and abilities, ſtrength of reaſon and quickneſs of "apprehenſion, with much patience in hearing what was objected againſt him; where- "in he allowed all freedom, and would himſelf ſum up the arguments, and give a "moſt clear judgment upon them. His unhappineſs was, that he had a better opinion "of others judgments than of his own, though they were weaker than his own; and "of this the parliament commiſſioners had experience to their great trouble. They "were often waiting on the king, and debating ſome points of the treaty with him, un- "till midnight before they could come to a concluſion. Upon one of the moſt material "points, they preſſed his majeſty with their reaſons and beſt arguments they could uſe to "grant what they deſired. The king ſaid, he was fully ſatisfied; and promiſed to give "them his anſwer in writing according to their deſire; but becauſe it was then paſt "midnight, and too late to put it into writing, he would have it drawn up next morn- "ing (when he commanded them to wait on him again) and then he would give them "his anſwer in writing, as it was now agreed upon. But next morning the king told "them, that he had altered his mind: And ſome of his friends, of whom the commiſſi- "oners enquired, told them, that after they were gone, and even his council retired, ſome "of his bed chamber never left preſſing and perſuading him till they prevailed on him "to change his former reſolutions." It is difficult, however, to conceive that any ne-

gociation could have ſucceeded between the king and parliament, while the latter inſiſted, as they did all along, on a total ſubmiſſion to all their demands; and challenged the whole power, which they profeſſedly intended to employ, to the puniſhment of all the king's friends.

NOTE [GG], p. 521.

THE author is ſenſible that ſome blame may be thrown upon him, on account of this laſt clauſe in Mr. Hambden's character; as if he were willing to entertain a ſuſpicion of bad intentions where the actions were praiſe worthy. But the author's meaning is directly contrary: He eſteems the laſt actions of Mr. Hambden's life to have been very blameable; though, as they were derived from good motives only puſhed to an extreme, there is room left to believe, that the intentions of that patriot, as well as of many of his party, were laudable. Had the preceding adminiſtration of the king, which we are apt to call arbitrary, proceeded from ambition, and an unjuſt deſire of encroaching on the ancient liberties of the people, there would have been leſs reaſon for giving him any truſt, or leaving in his hands a conſiderable ſhare of that power which he had ſo much abuſed. But if his conduct was derived in a great meaſure from neceſſity, and from a natural deſire of defending that prerogative which was tranſmitted to him from his anceſtors and which his parliaments were viſibly encroaching on; there is no reaſon why he may not be eſteemed a very virtuous prince, and entirely worthy of truſt from his people. The attempt, therefore, of totally annihilating monarchical power, was a very blameable extreme; eſpecially as it was attended with the danger, to ſay the leaſt, of a civil war, which, beſides the numberleſs ills inſeparable from it, expoſed liberty to much greater perils than it could have incurred under the new limited authority of the king. But as theſe points could not be ſuppoſed ſo clear during the time, as they are, or may be, at preſent; there are great reaſons of alleviation for men who were heated by the controverſy, or engaged in the action. And it is remarkable, that even at preſent (ſuch is the force of party prejudices,) there are few people who have coolneſs enough to ſee theſe matters in a proper light, or are convinced that the parliament could prudently have ſtopped in their pretenſions. They ſtill plead the violations of liberty attempted by the king, after granting the petition of right; without conſidering the extreme harſh treatment which he met with, after making that great conceſſion, and the impoſſibility of ſupporting government by the revenue then ſettled on the crown. The worſt of it is, that there was a great tang of enthuſiaſm in the conduct of the parliamentary leaders, which, though it might render their conduct ſincere, will not much enhance their character with poſterity. And though Hambden was, perhaps, leſs infected with this ſpirit than many of his aſſociates, he appears not to have been altogether free from it. His intended migration to America, where he could only propoſe the advantage of enjoying puritanical prayers and ſermons, will be allowed a proof of the prevalence of this ſpirit in him.

NOTE [HH], p. 348.

IN a letter of the king to the queen, preſerved in the Britiſh Muſæum, and publiſhed by Mrs. Macaulay, vol. iv. p. 420, he ſays, that unleſs religion was preſerved, the militia (being not as in France a formed powerful ſtrength) would be of little uſe to the crown; and that if the pulpits had not obedience, which would never be, if preſbyterian government was abſolutely eſtabliſhed, the king would have but ſmall comfort of the militia. This reaſoning ſhows the king's good ſenſe, and proves, that his attachment to epiſcopacy, though partly founded on religious principles, was alſo, in his ſituation, derived from the ſoundeſt views of civil policy. In reality, it was eaſy for the king to perceive, by the neceſſary connexion between trifles and important matters, and

by the connexion maintained at that time between religion and politics, that, when he was contending for the ſurplice, he was, in effect, fighting for his crown and even for his head. Few of the popular party could perceive this connexion: Moſt of them were carried headlong by fanaticiſm; as might be expected of the ignorant multitude. Few even of the leaders ſeem to have had more enlarged views.

NOTE [II] p. 380.

THAT Laud's ſeverity was not extreme appears from this fact, that he cauſed the acts or records of the high commiſſion court to be ſearched, and found that there had been fewer ſuſpenſions, deprivations, and other puniſhments, by three, during the ſeven years of his time than in any ſeven years of his predeceſſor Abbot; who was notwithſtanding in great eſteem with the houſe of commons, *Troubles and trials of Laud*, p. 164. But Abbot was little attached to the court, and was alſo a puritan in doctrine, and bore a mortal hatred to the papiſts. Not to mention that the mutinous ſpirit was riſing higher in the time of Laud, and would leſs bear controul. The maxims, however, of his adminiſtration were the ſame that had ever prevailed in England, and that had place in every other European nation, except Holland, which ſtudied chiefly the intereſts of commerce, and France, which was fettered by edicts and treaties. To have changed them for the modern maxims of toleration, how reaſonable ſoever, would have been deemed a very bold and dangerous enterprize. It is a principle advanced by preſident Monteſquieu, that, where the magiſtrate is ſatisfied with the eſtabliſhed religion, he ought to repreſs the firſt attempts towards innovation, and only grant a toleration to ſects that are diffuſed and eſtabliſhed. See l'Eſprit des Loix, liv. 25. chap. 10. According to this principle, Laud's indulgence to the catholics, and ſeverity to the puritans, would admit of apology. I own, however, that it is very queſtionable, whether perſecution can in any caſe be juſtified: But, at the ſame time, it would be hard to give that appellation to Laud's conduct, who only enforced the act of uniformity, and expelled the clergymen that accepted of benefices, and yet refuſed to obſerve the ceremonies, which they knew to be previouſly enjoined by law. He never refuſed them ſeparate places of worſhip; becauſe they themſelves would have eſteemed it impious to demand them, and no leſs impious to allow them.

NOTE [KK], p. 398.

DR. BIRCH has written a treatiſe on this ſubject. It is not my buſineſs to oppoſe any facts contained in that gentleman's performance. I ſhall only produce arguments, which prove that Glamorgan, when he received his private commiſſion, had injunctions from the king to act altogether in concert with Ormond. (1.) It ſeems to be implied in the very words of the commiſſion. Glamorgan is empowered and authoriſed to treat and conclude with the confederate Roman catholics in Ireland. "If upon neceſſity a-"ny *(articles)* be condeſcended unto, wherein the king's lieutenant cannot ſo well be "ſeen in, as not fit for us at preſent publicly to own." Here no articles are mentioned, which are not fit to be communicated to Ormond, but only not fit for him and the king publicly to be ſeen in, and to avow. (2.) The king's proteſtation to Ormond, ought, both on account of that prince's character, and the reaſons he aſſigns, to have the greateſt weight. The words are theſe, "Ormond, I cannot but add to my long letter, that, "upon the word of a Chriſtian, I never intended that Glamorgan ſhould treat any thing "without your approbation, much leſs to your knowledge. For beſides the injury to "you, I was always diffident of his judgement (though I could not think him ſo ex-"tremely weak as now to my coſt I have found); which you may eaſily perceive in a "poſtſcript of a letter of mine to you." Carte, vol. ii. App. xxiii. It is impoſſible, that

any man of honour, however he might diſſemble with his enemies, would aſſert a falſehood in ſo ſolemn a manner to his beſt friend, eſpecially where that perſon muſt have had opportunities of knowing the truth. The letter, whoſe poſtſcript is mentioned by the king is to be found in Carte, vol. ii. App. xiii. (3.) As the king had really ſo low an opinion of Glamorgan's underſtanding, it is very unlikely that he would truſt him with the ſole management of ſo important and delicate a treaty. And if he had intended, that Glamorgan's negociation ſhould have been independent of Ormond, he would never have told the latter nobleman of it, nor have put him on his guard againſt Glamorgan's imprudence. That the king judged aright of this nobleman's character, appears from his *century of arts or ſcantling of inventions*, which is a ridiculous compound of lies, chimeras and impoſſibilities, and ſhows what might be expected from ſuch a man. (4.) Mr Carte has publiſhed a whole ſeries of the king's correſpondence with Ormond from the time that Glamorgan came into Ireland; and it is evident that Charles all along conſiders the lord lieutenant as the perſon who was conducting the negociations with the Iriſh. The 31ſt of July 1645, after the battle of Naſeby, being reduced to great ſtraits, he writes earneſtly to Ormond to conclude a peace upon certain conditions mentioned, much inferior to thoſe granted by Glamorgan; and to come over himſelf with all the Iriſh he could engage in his ſervice. Carte, vol. iii. No. 400. This would have been a great abſurdity, if he had already fixed a different canal, by which, on very different conditions, he purpoſed to eſtabliſh a peace. On the 22d of October, as his diſtreſſes multiply, he ſomewhat enlarges the conditions, though they ſtill fall ſhort of Glamorgan's: A new abſurdity. See Carte, vol. iii. p. 411. (5.) But what is equivalent to a demonſtration, that Glamorgan was conſcious, that he had no powers to conclude a treaty on theſe terms, or without conſulting the lord lieutenant, and did not even expect, that the king would ratify the articles, is the defeazance which he gave to the Iriſh council at the time of ſigning the treaty. "The earl of Glamorgan does no way intend hereby to o-"blige his majeſty other than he himſelf ſhall pleaſe, after he has received theſe 10,000 "men as a pledge and teſtimony of the ſaid Roman catholics' loyalty and fidelity to his "majeſty; yet he promiſes faithfully, upon his word and honour, not to acquaint his ma-"jeſty with this defeazance, till he had endeavoured, as far as in him lay, to induce his "majeſty to the granting of the particulars in the ſaid articles: But that done, the "ſaid commiſſioners diſcharge the ſaid earl of Glamorgan, both in honour and conſcience, "of any farther engagement to them therein; though his majeſty ſhould not be pleaſed "to grant the ſaid particulars in the articles mentioned; the ſaid earl having given them "aſſurance, upon his word, honour, and voluntary oath, that he would never, to any "perſon whatſoever, diſcover this defeazance in the interim without their conſents." Dr. Birch, p. 96. All Glamorgan's view was to get troops for the king's ſervice without hurting his own honour or his maſter's. The wonder only is, why the Iriſh accepted of a treaty, which bound no body, and which the very perſon who concludes it, ſeems to confeſs he does not expect to be ratified. They probably hoped, that the king would, from their ſervices, be more eaſily induced to ratify a treaty which was concluded, than to conſent to its concluſion. (6.) I might add, that the lord lieutenant's concurrence in the treaty was the more requiſite becauſe without it the treaty could not be carried into execution by Glamorgan, nor the Iriſh troops be tranſported into England: And even with Ormond's concurrence, it clearly appears, that a treaty, ſo ruinous to the proteſtant religion in Ireland, could not be executed in oppoſition to the zealous proteſtants in that kingdom. No one can doubt of this truth, who peruſes Ormond's correſpondence in Mr Carte. The king was ſufficiently appriſed of this difficulty. It appears indeed to be the only reaſon why Ormond objected to the granting of high terms to the Iriſh catholics.

Dr Birch, in p. 360, has publiſhed a letter of the king's to Glamorgan, where he ſays, "Howbeit I know you cannot be but confident of my making good all inſtruc-"tions and promiſes to you and the nuncio." But it is to be remarked that this letter is dated in April 5, 1646; after there had been a new negociation entered into between

Glamorgan and the Iriſh, and after a proviſional treaty had even been concluded between them. See Dr. Birch, p. 179. The king's aſſurances, therefore, can plainly relate only to this recent tranſaction. The old treaty had long been diſavowed by the king and ſuppoſed by all parties to be annulled.

NOTE [LL] p. 422.

SALMONET, Ludlow, Hollis, &c. all theſe, eſpecially the laſt, being the declared inveterate enemies of Cromwel, are the more to be credited, when they advance any fact, which may ſerve to apologize for his violent and criminal conduct. There prevails a ſtory, that Cromwel intercepted a letter written to the queen, where the king ſaid, that he would firſt raiſe and then deſtroy Cromwel. But, beſides that this conduct ſeems to contradict the character of the king, it is, on other accounts, totally unworthy of credit. It is firſt told by Roger Coke, a very paſſionate and fooliſh hiſtorian who wrote too ſo late as king William's reign; and even he mentions it only as a mere rumour or hearſay, without any known foundation. In the Memoirs of lord Broghill, we meet with another ſtory of an intercepted letter which deſerves ſome more attention, and agrees very well with the narration here given. It is thus related by Mr. Maurice, chaplain to Roger, earl of Orrery. "Lord Orrery, in the time of his greatneſs with Cromwel, juſt after he had ſo ſeaſonably relieved him in his great diſtreſs at "Clonmell, riding out of Youghall one day with him and Ireton, they fell into diſcourſe "about the king's death. Cromwel thereupon ſaid more than once, that if the king had "followed his own judgement, and had been attended by none but truſty ſervants, he had "fooled them all; and that once they had a mind to have cloſed with him, but, upon "ſomething that happened, fell off from that deſign. Orrery finding them in good "humour, and being alone with them, aſked, if he might preſume to deſire to know, "why they would once have cloſed with his majeſty, and why they did not. Cromwel "very freely told him, he would ſatisfy him in both his queries. The reaſon (ſays he) "why he would have cloſed with the king was this: We found that the Scotch and "preſbyterians began to be more powerful than we, and were likely to agree with him, "and leave us in the lurch. For this reaſon we thought it beſt to prevent them by offering firſt to come in upon reaſonable conditions: But whilſt our thoughts were taken "up with this ſubject, there came a letter to us from one of our ſpies, who was of "the king's bed chamber, acquainting us, that our final doom was decreed that very "day; that he could not poſſibly learn what it was, but we might diſcover it, if we could "but intercept a letter ſent from the king to the queen, wherein he informed her of his "reſolution; that this letter was ſown up in the ſkirt of a ſaddle, and the bearer of it "would come with the ſaddle upon his head, about ten of the clock that night to the "Blue Boar in Holborn, where he was to take horſe for Dover. The meſſenger knew "nothing of the letter in the ſaddle, though ſome in Dover did. We were at Windſor "(ſaid Cromwel) when we received this letter, and immediately upon the receipt of it, "Ireton and I reſolved to take one truſty fellow with us, and to go in troopers' habits to "that inn. We did ſo; and leaving our man at the gate of the inn (which had a "wicket only open to let perſons in and out), to watch and give us notice when any man "came in with a ſaddle, we went into a drinking ſtall. We there continued, drinking "cans of beer, till about ten of the clock, when our centinel at the gate gave us notice "that the man with the ſaddle was come. We roſe up preſently, and juſt as the man "was leading out his horſe ſaddled we came up to him with drawn ſwords, and told "him we were to ſearch all that went in and out there; but as he looked like an honeſt "man, we would only ſearch his ſaddle, and ſo diſmiſs him. The ſaddle was ungirt; "we carried it into the ſtall, where we had been drinking, and ripping open one of the "ſkirts, we there found the letter we wanted. Having thus got it into our hands, we de"livered the man (whom we had left with our centinel) his ſaddle, told him he was an

" honeſt fellow, and bid him go about his buſineſs; which he did, purſuing his journey " without more ado, and ignorant of the harm he had ſuffered. We found in the letter, " that his majeſty acquainted the queen, that he was courted by both factions, the Scotch " preſbyterians and the army; and that thoſe which bade the faireſt for him ſhould " have him: But yet he thought he ſhould cloſe with the Scots ſooner than with the " other. Upon this we returned to Windſor; and finding we were not like to have " good terms from the king, we from that time vowed his deſtruction." " This re- " lation ſuiting well enough with other paſſages and circumſtances at this time, I have " inſerted to gratify the reader's curioſity." Carte's Ormond, vol, ii. p. 12.

NOTE (MM) p. 423.

THESE are the words: " Laneric; I wonder to hear (if that be true) that ſome of " my friends ſay, that my going to Jerſey would have much more furthered my " perſonal treaty, than my coming hither, for which, as I ſee no colour of reaſon, ſo I " had not been here, if I had thought that fancy true, or had not been ſecured of a per- " ſonal treaty; of which I neither do, nor I hope will repent: For I am daily more " and more ſatisfied with the governor, and find theſe iſlanders very good, peaceable, " and quiet people. This encouragement I have thought not unfit for you to receive, " hoping at leaſt it may do good upon others though needleſs to you." Burnet's Memoirs of Hamilton, p. 326. See alſo Ruſhworth, part 4. vol. ii. p. 941. All the writers of that age, except Clarendon, repreſent the king's going to the iſle of Wight as voluntary and intended. Perhaps the king thought it little for his credit, to be trepanned into this meaſure, and was more willing to take it on himſelf as entirely voluntary. Perhaps, he thought it would encourage his friends if they thought him in a ſituation, which was not diſagreeable to him.

NOTE [NN], p. 435.

THE king compoſed a letter to the prince, in which he related the whole courſe of this tranſaction, and accompanied his narrative with ſeveral wiſe, as well as pathetical reflections and advices. The words with which he concluded the letter are remarkable. " By what hath been ſaid, you ſee how long I have laboured in the ſearch of " peace: Do not you be diſheartened to tread in the ſame ſteps. Uſe all worthy means " to reſtore yourſelf to your rights, but prefer the way of peace: Show the greatneſs of " your mind, rather to conquer your enemies by pardoning, than by puniſhing. If you " ſaw how unmanly and unchriſtian the implacable diſpoſition is in our ill-wiſhers, you " would avoid that ſpirit. Cenſure me not for having parted with ſo much of our right: " The price was great; but the commodity was, ſecurity to us, peace to my people. And " I am confident, that another parliament would remember, how uſeful a king's power " is to a people's liberty; of how much power I diveſted myſelf, that I and they might " meet once again in a parliamentary way, in order to agree the bounds of prince and " people. Give belief to my experience, never to affect more greatneſs or prerogative, " than what is really and intrinſically for the good of the ſubjects, not the ſatisfaction " of favourites. If you thus uſe it, you will never want means to be a father to all, and " a bountiful prince to any, whom you incline to be extraordinarily gracious to. You " may perceive, that all men entruſt their treaſure, where it returns them intereſt; and " if a prince like the ſea, receive and repay all the freſh ſtreams, which the rivers entruſt " with him, they will not grudge, but pride themſelves, to make him up an ocean. " Theſe conſiderations may make you as great a prince as your father is a low one; and " your ſtate may be ſo much the more eſtabliſhed, as mine hath been ſhaken. For our " ſubjects have learned, I dare ſay, that victories over their princes are but triumphs

" over themſelves, and ſo, will more unwilling hearken to changes hereafter. The Eng-
" liſh nation are a ſober people, however, at preſent, infatuated. I know not but this
" may be the laſt time I may ſpeak to you of the world publicly. I am ſenſible into
" what hands I am fallen; and yet, I bleſs God, I have thoſe inward refreſhments, which
" the malice of my enemies cannot perturb. I have learned to be buſy myſelf, by retir-
" ing into myſelf; and therefore can the better digeſt whatever befals me, not doubting,
" but God's providence will reſtrain our enemies' power, and turn their fierceneſs into
" his praiſe. To conclude, if God give you ſucceſs, uſe it humbly, and be ever far from
" revenge. If he reſtore you to your right on hard conditions, whatever you promiſe,
" keep. Theſe men, who have violated laws, which they were bound to preſerve, will
" find their triumphs full of trouble. But do not you think any thing in the world
" worth attaining, by foul and unjuſt means."

NOTE [OO], p. 449.

THE imputation of inſincerity on Charles I. like moſt party clamours, is difficult to be removed; though it may not here be improper to ſay ſomething with regard to it. I ſhall firſt remark, that this imputation ſeems to be of a later growth than his own age; and that even his enemies, though they loaded him with many calumnies, did not inſiſt on this accuſation. Ludlow, I think, is almoſt the only parliamentarian, who imputes that vice to him; and how paſſionate a writer he is, muſt be obvious to every one. Neither Clarendon, nor any other of the royaliſts ever juſtify him from inſincerity as not ſuppoſing that he had ever been accuſed of it. In the ſecond place, his deportment and character in common life was free from that vice: He was reſerved, diſtant, ſtately; cold in his addreſs, plain in his diſcourſe, inflexible in his principles; wide of the careſſing, inſinuating manners of his ſon; or the profeſſing, talkative humour of his father. The imputation of inſincerity muſt be grounded on ſome of his public actions, which we are therefore in the third place to examine. The following are the only inſtances, which I find cited to confirm that accuſation. (1.) His vouching Buckingham's narrative of the tranſactions in Spain. But it is evident that Charles himſelf was deceived: Why otherwiſe did he quarrel with Spain? The following is a paſſage of a letter from Lord Kenſington, ambaſſador in France, to the duke of Buckingham, Cabbala, p. 318. " But his highneſs (the prince) had obſerved as great a weak-
" neſs and folly as that, in that after they (the Spaniards) had uſed him ſo ill, they
" would ſuffer him to depart, which was one of the firſt ſpeeches he uttered after he came
" into the ſhip: But did he ſay ſo? ſaid the queen (of France). Yes, madam, I will
" aſſure you, quoth I, from the witneſs of mine own ears. She ſmiled and replied, In-
" deed I heard he was uſed ill. So he was anſwered I, but not in his entertainment; for
" that was as ſplendid as that country could afford it; but in their frivolous delays, and in
" the unreaſonable conditions which they propounded and preſſed, upon the advantage they
" had of his princely perſon." (2.) Biſhop Burnet, in his hiſtory of the houſe of Hamilton, p. 154. has preſerved a letter of the king to the Scottiſh biſhops, in which he deſires them not to be preſent at the parliament, where they would be forced to ratify the abolition of their own order: For," adds the king, " we do hereby aſſure you, that it ſhall be ſtill
" one of our chiefeſt ſtudies how to rectify and eſtabliſh the government of that church
" aright, and to repair your loſſes, which we deſire you to be moſt confident of." And in another place, " You may reſt ſecure, that though perhaps we may give way for
" the preſent to that which will be prejudicial both to the church and our own govern-
" ment: yet we ſhall not leave thinking in time how to remedy both." But does the king ſay, that he will arbitrarily revoke his conceſſions? Does not candour require us rather to ſuppoſe, that he hoped his authority would ſo far recover as to enable him to obtain the national conſent to re-eſtabliſh epiſcopacy, which he believed ſo material a part

of religion as well as government? It is not eaſy indeed to think how he could hope to effect this purpoſe in any other way than his father had taken, that is, by conſent of parliament. (3.) There is a paſſage in Lord Clarendon, where it is ſaid, that the king aſſented the more eaſily to the bill, which excluded the biſhops from the houſe of peers; becauſe he thought that that law, being enacted by force, could not be valid. But the king certainly reaſoned right in that concluſion. Three-fourths of the temporal peers were at that time baniſhed by the violence of the populace: Twelve biſhops were unjuſtly thrown into the Tower by the commons: Great numbers of the commons themſelves were kept away by fear or violence: The king himſelf was chaſed from London. If all this be not force, there is no ſuch thing. But this ſcruple of the king's affects only the biſhop's bill and that againſt preſſing. The other conſtitutional laws had paſſed without the leaſt appearance of violence, as did indeed all the bills paſſed during the firſt year, except Strafford's attainder, which could not be recalled. The parliament, therefore, even if they had known the king's ſentiments in this particular, could not on that account, have had any juſt foundation of jealouſy, (4.) The king's letter intercepted at Naſeby, has been the ſource of much clamour. We have ſpoken of it already in chap. lviii. Nothing is more uſual in all public tranſactions than ſuch diſtinctions. After the death of Charles II. of Spain, king Wiliam's ambaſſadors gave the duke of Anjou the title of king of Spain: Yet at that very time king William was ſecretly forming alliances to dethrone him: And ſoon after he refuſed him that title, and inſiſted (as he had reaſon) that he had not acknowledged his right. Yet king William juſtly paſſes for a very ſincere prince; and this tranſaction is not regarded as any objection to his character in that particular. In all the negociations at the peace of Ryſwic the French ambaſſadors always addreſſed king William as king of England; yet it was made an expreſs article of the treaty, that the French king ſhould acknowledge him as ſuch. Such a palpable difference is there between giving a title to a prince and poſitively recognizing his right to it. I may add, that Charles when he inſerted that proteſtation in the council-books before his council, ſurely thought he had reaſon to juſtify his conduct. There were too many men of honour in that company to avow a palpable cheat. To which we may ſubjoin, that, if men were as much diſpoſed to judge of this prince's actions with candor as ſeverity, this precaution of entering a proteſt in his council-books might rather paſs for a proof of ſcrupulous honour; leſt he ſhould afterwards be reproached with breach of his word, when he ſhould think proper again to declare the aſſembly at Weſtminſter no parliament. (5.) The denying of his commiſſion to Glamorgan another inſtance which has been cited. This matter has been already treated in a note is to chap. viii. That tranſaction was entirely innocent. Even if the king had given a commiſſion to Glamorgan to conclude that treaty, and had ratified it, will any reaſonable man in our age, think it ſtrange, that, in order to ſave his own life, his crown, his family, his friends, and his party, he ſhould make a treaty with papiſts, and grant them very large conceſſions for their religion. (6.) There is another of the king's intercepted letters to the queen commonly mentioned; where, it is pretended, he talked of raiſing and then deſtroying Cromwel: But that ſtory ſtands on no manner of foundation, as we have obſerved in a preceding note to this chapter. In a word, the parliament, after the commencement of their violences, and ſtill more, after beginning the civil war, had reaſons for their ſcruples and jealouſies, founded on the very nature of their ſituation, and on the general propenſity of the human mind; not on any fault of the king's character; who was candid, ſincere, upright; as much as any man, whom we meet with in hiſtory. Perhaps, it would be difficult to find another character ſo unexceptionable in this particular.

As to the other circumſtances of Charles's character, chiefly exclaimed againſt, namely his arbitrary principles in government, one may venture to aſſert, that the greateſt enemies of this prince will not find, in the long line of his predeceſſors, from the conqueſt

to his time, any one king, except perhaps his father, whoſe adminiſtration was not more arbitrary and leſs legal, or whoſe conduct could have been recommended to him by the popular party themſelves, as a model, in this particular, for his government. Nor is it ſufficient to ſay, that example and precedent can never authoriſe vices: Examples and precedents, uniform and ancient, can ſurely fix the nature of any conſtitution, and the limits of any form of government. There is indeed no other principle by which thoſe land marks or boundaries can be ſettled.

WHAT a paradox in human affairs, that Henry VIII. ſhould have been almoſt adored in his life-time and his memory be reſpected: While Charles I. ſhould, by the ſame people, at no greater diſtance than a century, have been led to a public and ignominious execution, and his name be ever after purſued by falſehood and by obloquy! Even at preſent, an hiſtorian, who, prompted by his courageous generoſity, ſhould venture, though from undiſputed facts, to vindicate the fame of that prince, would be ſure to meet with ſuch treatment, as would diſcourage even the boldeſt from ſo dangerous, however ſplendid an enterprize.

NOTE [PP], p. 461.

THE following inſtance of extravagance is given by Walker, in his hiſtory of Independency, part II. p. 152. About this time, there came ſix ſoldiers into the pariſh church of Walton upon Thames, near twilight: Mr. Faucet, the preacher there, not having till then ended his ſermon. One of the ſoldiers had a lanthorn in his hand and a candle burning in it, and in the other hand four candles not lighted. He deſired the pariſhioners, to ſtay awhile, ſaying he had a meſſage from God unto them, and hereupon offered to go into the pulpit. But the people refuſing to give him leave ſo to do, or to ſtay in the church, he went into the church-yard, and there told them, that he had a viſion wherein he had received a command from God, to deliver his will unto them, which he was to deliver, and they to receive upon pain of damnation; conſiſting of five lights. (1.) "That the ſabbath was aboliſhed as unneceſſary, Jewiſh, and merely ceremonial. And here (quoth he) I ſhould put out the firſt light, but this wind is ſo high I cannot kindle it. (2.) That tythes are aboliſhed as Jewiſh and ceremonial, a great burthen to the ſaints of God, and a diſcouragement of induſtry and tillage. And here I ſhould put out my ſecond light, &c. (3.) That miniſters are aboliſhed as antichriſtian, and of no longer uſe, now Chriſt himſelf deſcends into the hearts of his ſaints, and his ſpirit enlighteneth them with revelations and inſpirations. And here I ſhould put out my third light, &c. (4.) Magiſtrates are aboliſhed as uſeleſs, now that Chriſt himſelf is in purity amongſt us, and hath erected the kingdom of the ſaints upon earth. Beſides they are tyrants, and oppreſſors of the liberty of the ſaints, and tye them to laws and ordinances, mere human inventions: And here I ſhould put out my fourth light, &c. (5.) Then putting his hand into his pocket, and pulling out a little bible, he ſhewed it open to the people, ſaying. Here is a book you have in great veneration, conſiſting of two parts, the old and new teſtament: I muſt tell you it is aboliſhed; it containeth beggarly rudiments, milk for babes: But now Chriſt is in Glory amongſt us, and imparts a farther meaſure of his ſpirit to his ſaints than this can afford. I am commanded to burn it before your face. Then putting out the candle he ſaid; and here my fifth light is extinguiſhed." It was become a pretty common doctrine at that time, that it was unworthy of a chriſtian man to pay rent to his fellow-creatures; and landlords were obliged to uſe all the penalties of law againſt their tenants, whoſe conſcience was ſcrupulous.

NOTE (QQ), p. 486.

WHEN the earl of Derby was alive, he had been ſummoned by Ireton to ſurrender the Iſle of Man; and he returned this ſpirited and memorable anſwer. "I receiv'd

" your letter with indignation, and with ſcorn return you this anſwer that I can-
" not but wonder whence you ſhould gather any hopes, that I ſhould prove like you
" treacherous to my ſovereign ſince you can not be ignorant of my former actions in his
" late majeſty's ſervice, from which principles of loyalty I am no whit departed. I
" ſcorn your proffers; I diſdain your favour; I abhor your treaſon; and am ſo far
" from delivering up this iſland to your advantage, that I ſhall keep it to the utmoſt of
" my power to your deſtruction. Take this for your final anſwer, and forbear any
" farther ſolicitations: For if you trouble me with any more meſſages of this nature, I
" will burn the paper and hang up the bearer. This is the immutable reſolution, and
" ſhall be the undoubted practice of him, who accounts it his chiefeſt glory to be his ma-
" jeſty's moſt loyal and obedient ſubject.

" DERBY.

NOTE [RR], p. 488.

IT had been an uſual policy of the preſbyterian eccleſiaſtics to ſettle a chaplain in the great families, who acted as a ſpy upon his maſter and gave them intelligence of the moſt private tranſactions and diſcourſes of the family. A ſignal inſtance of prieſtly tyranny, and the ſubjection of the nobility! They even obliged the ſervants to give intelligence againſt their maſters. Whitlocke, p. 502. The ſame author, p. 512, tells the following ſtory. The ſynod meeting at Perth, and citing the miniſters and people, who had expreſſed a diſlike of *their heavenly government*, the men being out of the way, their wives reſolved to anſwer for them. And on the day of appearance, 120 women with good clubs in their hands came and beſieged the church, where the reverend miniſters ſat. They ſent one of their number to treat with the females, and he threatening excommunication, they baſted him for his labour, kept him priſoner, and ſent a party of 60, who routed the clergy, bruiſed their bodies ſorely, took all their baggage and 12 horſes. One of the miniſters, after a mile's running, taking all creatures for his foes, meeting with a ſoldier fell on his knees, who knowing nothing of the matter aſked the blackcoat what he meant. The female conquerors, having laid hold on the ſynod clerk, beat him till he forſwore his office. Thirteen miniſters rallied about four miles from the place, and voted that this village ſhould never more have a ſynod in it, but be accurſed; and that though in the years 1638, and 39, the godly women were cried up for ſtoning the biſhops, yet now the whole ſex ſhould be eſteemed wicked.

NOTE [SS], p. 542.

ABOUT this time an accident had almoſt robbed the protector of his life, and ſaved his enemies the trouble of all their machinations. Having got ſix Frieſland coach-horſes as a preſent from the count of Oldenburg, he undertook for his amuſement to drive them about Hydepark; he fell upon the pole, was dragged upon the ground for ſome time; a piſtol, which he carried in his pocket, went off; and by that ſingular good fortune, which ever attended him, he was taken up without any conſiderable hurt or bruiſe.

END OF THE FOURTH VOLUME.